



Notice of Hearing

Licensing Sub-Committee

Date: FRIDAY, 5 AUGUST 2016

Time: 2.00 PM

Venue: COMMITTEE ROOM 6 -
CIVIC CENTRE, HIGH
STREET, UXBRIDGE UB8
1UW

**Meeting
Details:** Members of the Public and
Press are welcome to attend
this meeting

Councillors on the Sub-Committee:

Dominic Gilham (Chairman)

Patricia Jackson

Lynne Allen

IMPORTANT INFORMATION

On receipt of this notice, you **MUST** notify the Committee Clerk (contact details below) by the following date:

Tuesday, 2 August 2016

If you don't notify you may lose your right to speak at the hearing. When notifying you must confirm:

- 1) Whether you intend to attend or to be represented by someone at the hearing;
- 2) If you consider a hearing to be unnecessary and;
- 3) Whether to request that another person attends (other than your representative) as a witness

In the case of any street trading application, you please also inform us whether you wish to consent to the application being determined without your presence or if you have any special needs you may require on the day.

Published: Thursday, 21 July 2016

Contact: Clerk to the Licensing Sub-Committee

Tel: 01895 250636

Email: democratic@hillington.gov.uk

Putting our residents first

Useful information for residents and visitors

Watching & recording this meeting (if a public meeting only)

If this meeting is to be held in Public (Part 1) you can watch it on the Council's YouTube channel, live or archived after the meeting. Residents and the media are also welcome to attend in person, and if they wish, report on the public part of the meeting. Any individual or organisation may record or film proceedings as long as it does not disrupt proceedings.

Watch a **LIVE** broadcast of this meeting on the Council's YouTube Channel: *Hillingdon London*

Those attending should be aware that the Council will film and record proceedings for both official record and resident digital engagement in democracy.



It is recommended to give advance notice of filming to ensure any particular requirements can be met. The Council will provide seating areas for residents/public, high speed WiFi access to all attending and an area for the media to report. The officer shown on the front of this agenda should be contacted for further information and will be available to assist.

When present in the room, silent mode should be enabled for all mobile devices.

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Accessibility

For accessibility options regarding this agenda please contact Democratic Services. For those hard of hearing an Induction Loop System is available for use.

Emergency procedures

If there is a FIRE, you will hear a continuous alarm. EXIT and assemble on the Civic Centre forecourt.

Fire Marshal or Security Officer. In the event of a SECURITY INCIDENT, follow instructions issued via the tannoy, a Fire Marshal or a Security Officer. Those unable to evacuate using the stairs, should make their way to the signed refuge locations.



Agenda

CHAIRMAN'S ANNOUNCEMENTS

Hearing Protocols *(Street Trading and Licensing Act dependent upon application)*

- 1 Apologies for Absence
- 2 Declarations of interest in matters coming before this meeting
- 3 To confirm that the items of business marked Part I will be considered in Public and items marked Part II will be considered in Private
- 4 Matters that have been notified in advance or urgent

Part I - Members, Public and Press

	Title of Report / Address of application	Ward	Time	Page
5	Street Trading: Application for a Temporary Street Trading Licence, High Street, Uxbridge	Uxbridge North / Uxbridge South	2PM (BRIEFING 1:40PM)	35 - 52
6	Licensing Act 2013: Application for the grant of a Premises Licence, Staycity Heathrow, Hayes	Botwell	2PM (BRIEFING 1:40PM)	53 - 108
There are two applications on this agenda, but both parties are asked to attend at 2pm (and the briefing earlier). The Sub-Committee will determine the order in which they are heard on the day.				

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Part III of the London Local Authorities Act 1990 (as amended): Street Trading

Rules of Procedure for Licensing Sub-Committee Hearings

1. SCOPE

- 1.1 These procedure rules apply to Licensing Sub-Committees established by the Licensing Committee of Hillingdon Council acting as Licensing Authority. The rules are subject to Street Trading legislation as contained in Part III of the London Local Authorities Act 1990 (as amended)

- 1.3 The purpose of these procedure rules is to guide the Licensing Sub-Committees through the various stages of the hearing process and to direct the sub-committee hearing a case, and all other parties involved, on the essential procedural requirements to be followed before, during and after a hearing.

2. SUB-COMMITTEES

Role, Composition and Quorum

2.1 All hearings under these procedure rules will be conducted by licensing sub-committees for the sole purpose of determining applications for and in relation to licences as required under Street Trading legislation as contained in Part III of the London Local Authorities Act 1990 (as amended) [the “Act”].

2.2 A sub-committee will usually consist of five members drawn from the Licensing Committee. The quorum for hearings and meetings of a sub-committee is two members. Each meeting shall be chaired by a designated Licensing Sub-Committee Chairman. *

**Note: since this protocol was agreed by Council that there are 3 Members on the Sub-Committee with a quorum being 1.*

2.3 The Head of Democratic Services, or his representative (usually the Clerk to the Licensing Committee) shall appoint each sub-committee taking into account the need for it to be politically balanced, where possible; the need to involve all members of the Licensing Committee as equally as possible; the need to avoid involving members with an interest in the item to be discussed or members from the ward in which the subject premises is located; and the timescale available for determining applications.

2.3 Where hearings are convened, sub-committees are not ordinarily subject to the normal committee procedures established under the Local Government Act 1972 and the Council Procedure Rules. For example, a Member who is not on the sub-committee hearing the case cannot address the proceedings in his/her capacity as an elected member, except where the member has properly made a representation or is formally representing objectors.

Power to adopt own Procedure

- 2.4 Except where otherwise prescribed by the Act, the sub-committee has wide powers to adopt its own procedures as to the general order and manner in which the hearing is to be conducted. For example, it may in any particular case dispense with or modify these Rules of Procedure.

3. BEFORE THE HEARING

Time Limits for Setting up Hearings

- 3.1 The Act does not prescribe a specific period of time within which a hearing is to be held. It is expected that a hearing will to be commenced as soon as is reasonably practicable after the deadline for making representations and in any case where a hearing is likely to exceed more than one day it must be arranged to take place on consecutive days.
- 3.2 The relevant sub-committee may at any time postpone the original date on which the hearing is to be held to a new date that it may specify if it considers it necessary to enable it to consider any information or documents provided by a party or having regard to the ability of any party, person representing a party or witness to attend the hearing
- 3.3 Without prejudice to paragraphs 3.1 and 3.32, every effort will be made to arrange for hearings to be held within 10 working days after the end of the period within which representations may be made by responsible authorities and interested parties.

Notice Procedures

- 3.4 In order to hold a fair and transparent hearing, the Licensing Service and parties to proceedings are required to notify each other of relevant information in advance of the hearing as follows:

Notice of Hearing from the Licensing Authority

- 3.5 Notice shall given to all parties to the hearing specifying the date, time and place at which the hearing is to be held.
- 3.6 The Notice of Hearing shall be sent so that, in the ordinary course of events, it is received no later than 10 working days before the first day on which the hearing is to be held.
- 3.7 However, when the sub-committee has postponed the original hearing date it shall, as soon as reasonably practicable, notify the parties of the new date, time and place for the hearing.
- 3.8 The Notice of Hearing shall be accompanied by information in writing regarding the following:
- (i) This procedure note or a procedure guide , the report from the Licensing Officer and copies of written objections / petitions received;
 - (ii) Confirmation that a party may be assisted / represented by a person who does not have to be legally qualified;
 - (ii) The consequences if a party:
 - (a) Informs the sub-committee that he/she does not wish to attend or be represented at the hearing, or
 - (b) Fails to inform the relevant committee whether he/she wishes to attend or be represented at the hearing, or
 - (c) Informs the sub-committee that he/she wishes to attend or be represented at the hearing, but fails to attend or be represented.
 - (iii) The legal requirements imposed on the sub-committee in conducting the hearing.

- (iv) The procedure the sub-committee will follow at the hearing.
- (v) Time limits and method by which a party should inform the sub-committee whether he/she wishes: to attend or address the hearing, be assisted or represented by another person, call a witness to give evidence and in relation to what matters that witness will give evidence, to withdraw any representations or to consent to the application being determined without a hearing
- (vi) Any matters on which the Licensing Service considers that it will want clarification from a party.

Notice of Attendance from the Parties

- 3.9 Upon receipt of the Notice of Hearing, and by no later than 2 working days before the day or first day on which the hearing is to be held, each party must give to the sub-committee a notice stating:
- (i) Whether he/she wishes to attend or address the hearing;
 - (ii) Whether he or she wishes to be assisted or represented by another person;
 - (iii) Whether he/she wishes to call a witness to give evidence at the hearing and the matters in relation to which he/she wishes that witness to give evidence;
 - (iii) Whether he/she wishes to consent to the application being determined without his/her presence
 - (iv) Any special needs (for example language translation) to be accommodated
- 3.10 Such notice may be given either by completing and returning to the authority the pro-forma "Notice of Attendance" that accompanies the Notice of Hearing, or by providing any other form of written notification. Notices may be sent by post, fax or email.

Notice of Withdrawal of Representations

- 3.11 A party who wishes to withdraw any objection they have made may do so:
- (i) By giving notice to the licensing authority no later than 24 hours before the day of the hearing; or
 - (ii) Orally at the hearing

Licensing Officer's Report

- 3.12 A report on the application to be determined will be formulated by the authority's Licensing officers, which will contain a summary of the application, objections, their technical observations and recommendations.

Agenda for the Hearing

- 3.13 The Head of Democratic Services or Clerk to the Licensing Committee shall send out the agenda for the hearing (which will include the Licensing Officer's report) to all parties in advance of the hearing.

Consequences of failure to Attend Hearing

- 3.14 The sub-committee committee may proceed with a hearing in the absence of a party or a party's representative if the party has:
- (i) informed the sub-committee that he/she does not intend to attend or be represented at the hearing (and has not subsequently advised the sub-committee otherwise);
 - (ii) failed to inform the sub-committee whether he/she intends to attend or be represented at the hearing; or
 - (iii) left the hearing in circumstances enabling the sub-committee reasonably to conclude that he/she does not intend to participate further.

- 3.15 Where the hearing is held in the absence of a party, the relevant committee shall consider at the hearing the application or objections made by that party.
- 3.16 If a party has indicated that he does intend to attend or be represented at the hearing, but fails to so attend or be so represented, the relevant committee may
- (i) adjourn the hearing to a specified date if it considers it to be in the public interest, or
 - (ii) proceed with the hearing in the party's absence.
- 3.17 Where, the relevant committee adjourns the hearing to a specified date it shall, as soon as reasonably practicable, notify the parties of the date, time and place to which the hearing has been adjourned.

4. THE HEARING

Principles to be applied

- 4.1 Subject to paragraph 4.2 and 4.3 below, the hearing shall take place in public.
- 4.2 The sub-committee may direct that all or part of a hearing must be held in private if it is satisfied that it is necessary in all the circumstances of the case, having had regard to:
- (i) Any unfairness to a party that is likely to result from hearing in public; and
 - (ii) The need to protect as far as possible, the commercial or other legitimate interests of a party.

- 4.3 Issues that involve personal details such as medical conditions or criminal records will normally be held in private session.
- 4.4 Changes to the membership of the sub-committee will be announced at the beginning of the hearing.
- 4.5 The hearing will take the form of a discussion led by the Chairman of the relevant committee. As the hearing is not a court:
- (i) Strict rules of evidence will not apply (see paragraphs 5.3 below for further details as to evidence).
 - (ii) Evidence will not be taken on oath.
 - (iii) Comments and questions are to be directed through the sub-committee Chairman.
 - (iv) Cross - examination will not be permitted unless the sub-committee considers that cross-examination is required for it to consider the representations or application.
 - (v) Evidence, discussion and address must be relevant to the Act.
 - (vi) all representations and other information received from absent parties will be considered.
- 4.6 The sub-committee will have regard to the common law rules of natural justice and the Human Rights Act 1998 when exercising its decision-making functions, with particular reference to Article 6 of the European Convention of Human Rights which provides that:
- “...in the determination of civil rights and obligations, everyone is entitled to a fair and public hearing within a reasonable time by independent and impartial tribunal established by law”.*
- 4.7 A party may be assisted or represented at the hearing by any person whether or not that person is legally qualified. For the avoidance of doubt, a party may be assisted or represented by their Ward Councillor. However, no member sitting on the relevant sub-committee

hearing the case can represent any of the interested parties or applicant.

Procedure at the Hearing

- 4.8 The order of business shall be at the discretion of the sub-committee, but will normally proceed in accordance with the following paragraphs or as shown in the flow chart attached at *Appendix 1*:
- 4.9 The Chairman shall at the beginning of the hearing introduce the members of the sub-committee, invite the parties to identify themselves and then explain to the parties the procedure that the sub-committee intends to follow.
- 4.10 The Licensing Officer will then be invited by the Chairman to present the relevant details of his/her report (referred to in paragraph 3.11 above), and any other information regarding any details relevant to the application or representations which may have come to light since the report was written. Alternatively, the Chairman may proceed directly to paragraph 4.11 below.
- 4.11 Parties or their representatives will normally be invited to address the sub-committee in the following order:
- (i) Applicant
 - (ii) Objectors
- 4.12 Where there is more than one objection raising the same or similar grounds, the Chairman will encourage parties to agree that only one party address the sub-committee on behalf of the parties who have made the representations in question.
- 4.13 Each party shall be entitled to:
- (i) Address the sub-committee or call witnesses

- (ii) Provide further information on, or explanation of, any matter on which the licensing authority has indicated that it would want further clarification under paragraph 3.7(vi) above.
 - (iii) Subject to paragraph 4.4(iv) above, question any other party or person representing a party on any matter that is relevant to the application, or representation made on the application, where in all the circumstances the sub-committee considers it is appropriate to do so.
- 4.14 The sub-committee will take into consideration documentary or other information in support of the application or objections produced by a party:
 - (i) Before the hearing; or
 - (ii) At the hearing, with the consent of all other parties attending the hearing.
- 4.15 At any time during the hearing, parties or their representatives or any of their witnesses may be asked questions upon their presentation or evidence by any member of the sub-committee.
- 4.16 At any time during the hearing, the sub-committee may decide to adjourn hearing to the earliest possible date or to a later time on the same date in order to conduct a site inspection of the relevant application. All site inspections will preferably be conducted in the presence of all parties to a Hearing. A party to a hearing may decline to attend such a site inspection. In such a situation, the site inspection may take place in the absence of the relevant party.
- 4.16 The parties shall be entitled to make closing submissions and will normally be invited to do in the following order:
 - (i) Licensing Officer
 - (ii) Objector
 - (iii) Applicant

- 4.17 The sub-committee may place a time limit on a party's speaking rights as set out in paragraphs 4.13 and 4.16 above, but all parties shall be allowed an equal maximum period of time.
- 4.18 The sub-committee may require any person who in his/her opinion is behaving in a disruptive manner to leave the hearing and may refuse to permit that person to return or to return upon complying with such conditions as the relevant committee may specify. However, any such person will be allowed to submit any evidence in writing that they proposed to give orally, provided they do so before the end of the hearing.
- 4.19 At the conclusion of evidence and closing submissions, the sub-committee will adjourn into closed session in order to deliberate and reach a decision. During this process only the Legal Adviser and the Committee Clerk will remain with them.
- 4.20 If, during its deliberations, the sub-committee considers that it is necessary for any person present at the hearing to provide further information or clarification on a particular point, the hearing may be re-convened to deal with that issue before reaching a decision.

Role of Legal Advisor

- 4.21 The sub-committee may seek advice or clarification of any procedural, technical or legal matter from the legal adviser at any time during the course of the hearing.
- 4.22 The legal adviser will provide the Sub-Committee with any advice it requires properly to perform its functions whether or not the Sub-Committee requested that advice, on:
- (i) Questions of law or of mixed fact and law;
 - (ii) Matters of practice and procedure;
 - (iii) The range of options available to the Sub-Committee;

- (iv) Relevant national guidance, policy or codes;
- (v) Other issues relevant to the matter before the Sub-Committee;
- (vi) The appropriate decision-making structure to be applied in any given case.

4.23 The legal adviser may ask questions of witnesses and the parties in order to clarify the evidence and any issues in the case. The legal adviser is under a duty to ensure that every case is conducted fairly.

4.23 The legal adviser will play no part in making findings of fact but may assist the Sub-Committee by reminding it of the evidence taken from his/her own or the committee clerk's notes.

4.25 The legal adviser will assist the Sub-Committee where appropriate as to the formulation of reasons and the recording of those reasons.

5. THE DECISION

Principles to be applied

5.1 Each application will be determined on its own merits and the sub-committee shall make its decision based upon the merits of the individual circumstances of each case and its considerations shall be restricted to the evidence placed before it (see paragraph 5.3 and 5.4 below on how evidence will be assessed).

5.2 All decisions reached by a sub-committee shall be supported by reasons and a summary of the relevant evidence supporting those reasons. All decisions reached by a sub-committee must comply with the Act.

Evidence

- 5.3 While court rules of evidence will not strictly apply, they will, however, be followed to a great extent because sub-committee decisions must be based upon an objective assessment of the evidence. Hearsay evidence is permitted but will be given less weight than direct evidence. Evidence given in person where the testing of that evidence is possible through questioning, or cross-examination if appropriate, is likely to be given more weight than evidence or representations which are presented only in writing.
- 5.4 If the sub-committee considers that the evidence of a party is not relevant to the issue(s) to be decided, it shall be disregarded.

Time Limit

- 5.6 The relevant sub-committee shall determine the application on the last day on which the hearing was held. So, if the hearing finishes on a Monday, the determination must occur on the same day.
- 5.7 A verbal decision is given to the public at the end of the hearing or at the end of the relevant agenda item.

6. AFTER THE HEARING

Notification of Decision

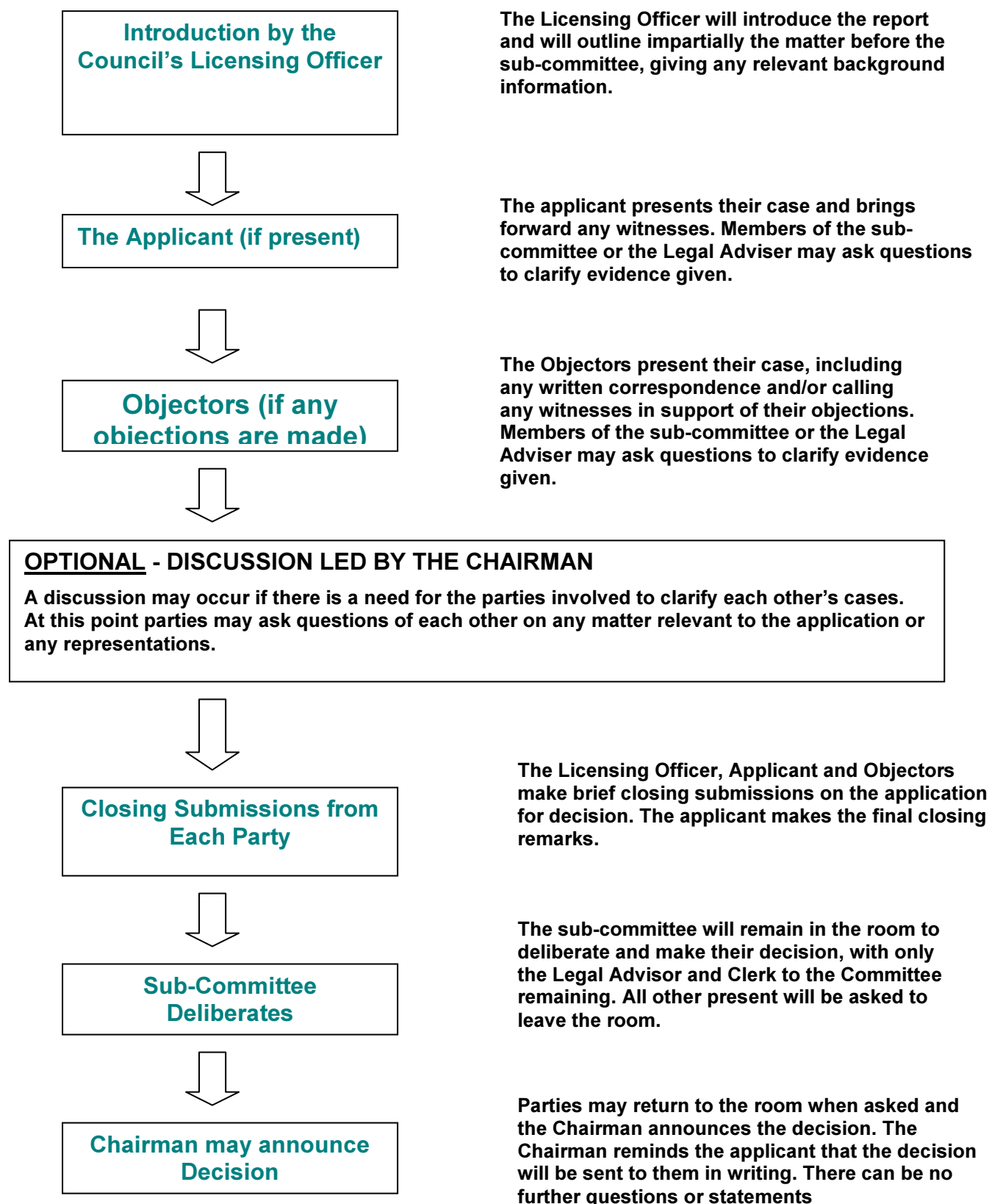
- 6.1 After the hearing, formal notice of the sub-committee's decision and related information, such as any conditions that may be imposed on the street trading licence, shall be communicated to all parties to the proceedings, in writing, within 5 working days of a verbal decision being given.
- 6.2 The decision notice shall further point out that if the applicant (who is also the holder of a Permanent Street Trading Licence) is dissatisfied

with the decision of the sub-committee there is a right of appeal to the Registrations and Appeals Committee which must be exercised within 21 days from the date of receipt of the written notice of decision.

- 6.3 All decisions upon an application shall further be published for viewing on the Council's official website.

APPENDIX 1

ORDER OF PROCEEDINGS



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Hearing Protocol

This protocol outlines the procedures that will be followed in relation to hearings held under the Licensing Act 2003 and the Gambling Act 2005

Agreed and adopted by the Licensing Committee on 15 October 2015

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1. Introduction

- 1.1 The Licensing Act 2003 (Hearings) Regulations 2005 and the Gambling Act 2005 (Proceedings of Licensing Committees and Sub-committees) (Premises Licences and Provisional Statements) (England and Wales) Regulations 2007 ("together hereafter the Regulations") provide that a Licensing Authority shall, subject to the provisions of those Regulations, determine for itself the procedure to be followed at a hearing.
- 1.2 These procedures set out the way in which the Licensing Authority will conduct hearings under the Licensing Act 2003 ("hereinafter the 2003 Act") and the Gambling Act 2005 ("hereafter 2005 Act") and the associated Regulations.
- 1.3 Appendix 1 of this protocol includes the procedure that will be adopted by the Licensing Authority in the event that an interim hearing must be held following notice of a Summary Review pursuant to Section 53A of the Act.

2. Timescales

- 2.1 Most hearings under the 2003 Act must take place within 20 working days from the last date in which representations can be made.
- 2.2 Exceptions under the 2003 Act:
 - Within 10 working days from the day after the Authority receives the notice for a review of the premises licence following a Closure Order.
 - Within 7 working days from after the end of the period within which the police can object to:
A temporary event notice (the police must give notice of their objection within 3 working days of being given a copy of the notice); and
 - Within 5 working days beginning with the day after the end of the last date for the police to object to an interim authority notice (the police must give notice of their objection within 2 working days of being given a copy of the notice).
- 2.3 For applications made under the 2005 Act the Authority must commence a hearing as soon as reasonably practicable after the expiry of the statutory period where representations can be received.
- 2.4 These matters are more fully set out in the Regulations.
- 2.5 Where a hearing will take more than one working day, the Authority must arrange for the hearing to take place on consecutive working days.

3. Timescales for Notice of Hearing to be given

3.1 In most cases, the Authority shall give notice of a hearing no later than 10 working days before the first day on which the hearing is to be held.

3.2 Exceptions under the 2003 Act:

- Review of a premises licence following a Closure Order;
- Summary Review of premises licence

At least two working days notice must be given to the parties to a hearing for determination of:

- Police objection to an Interim Authority Notice;
- Police objection to a Temporary Event Notice.

4. Persons who must be notified of a hearing

4.1 The persons who must be notified of a hearing are set out below as a summary:

- Any applicant for any licence, provisional statement or review made under the 2003 Act and the 2005 Act;
- The premises user who submitted the temporary event notice under the 2003 Act;
- Any person who has made relevant representations about an application for a licence or provisional statement or review;
 - Any police officer who has given notice of objection under the 2003 Act to a person specified as a Designated Premises Supervisor;
 - An interim authority;
 - Transfer of a premises licence;
 - Transfer of a club premises licence;
 - Transfer of a club premises certificate;
 - A temporary event notice;
 - A personal licence.
 - Any holder of a premises licence or club premises certificate when an application is made for review.

5. Information to be provided in a Notice of Hearing

5.1 The information and documentation that must accompany the Notice of Hearing relating to an application or notice under the 2003 Act includes:

- The procedure to be followed at the hearing;
- The right of the party to attend and to be assisted or represented by any person whether legally qualified or not;

- The ability to give further information in support of their application where the Authority has sought clarification;
- The right to question any other party;
- The right to address the Authority;
- Notice of any particular on which the Authority will want clarification at the hearing;
- The consequences if a party does not attend or is not represented at the hearing;

5.2 The information and documentation that must accompany the Notice of Hearing relating to an application under the 2005 Act includes:

- The consequences where a party informs the Sub-Committee that he/she does not wish to attend or be represented at the hearing or fails to inform the Sub-Committee whether he/she will attend or be represented at the hearing;
- The requirements imposed on the Sub-Committee in conducting a hearing as set out in the Regulations;
- The consequences where a party has indicated that he/she wishes to attend or be represented at the hearing, but fails to attend or be represented at the hearing;
- The procedure to be followed at the hearing;
- The time limit and method by which a party should inform the Sub-Committee that he/she wishes to be assisted or represented by another person;
- The time limit and method by which a party should inform the Licensing Authority that he/she will want to call a witness to give evidence at the hearing, and the matters in relation to which he/she will want to call a witness to give evidence at the hearing and the matters in relation to which he/she wishes that witness to give evidence;
- The time limit and method by which a party should inform the Sub-Committee that he/she is willing to consent to the application being determined without a hearing;
- The matters on which the Sub-Committee considers at the time that it will want clarification at the hearing from a party.

5.3 The Notice of Hearing will ask all parties to attend a briefing session 20 minutes before the hearing begins. At this briefing the Council's Legal Advisor will be available to answer questions or provide any clarification.

6. Notice of Reply

6.1 On receipt of the Notice of Hearing, all parties must inform the Authority whether they:

- Intend to attend or be represented at the hearing;
- Consider a hearing to be unnecessary; and
- Wish to request that another person appear at the hearing (other than their representative) as a witness. If such a request is made, it should be accompanied by details of the name of that person and a brief description of the point or points about which that person may be able to assist the hearing.

6.2 In the case of a hearing under-

- Section 48(3)(a) cancellation of interim authority notice following police objection; or
 - Section 105(2)(a) counter notice following police objection to Temporary Event Notice
- The party must return the notice no later than one working day before the day of the hearing.
 - In the case of a hearing under-
 - Section 167(5)(a) review of a premises licence following a closure order ; or
 - Section 53C review of premises licence following review notice; or
 - Paragraph 4(3)(a) of Schedule 8 conversion of an existing licence; or
 - Paragraph 16(3)(a) of Schedule 8 conversion of an existing club licence; or
 - Paragraph 26(3)(a) of Schedule 8 determination of application by holder of justices' licence for grant of personal licence
 - The party must return the notice no later than two working days before the day of the hearing.
 - In any other case, the party must give no later than five working days before the day of the hearing.

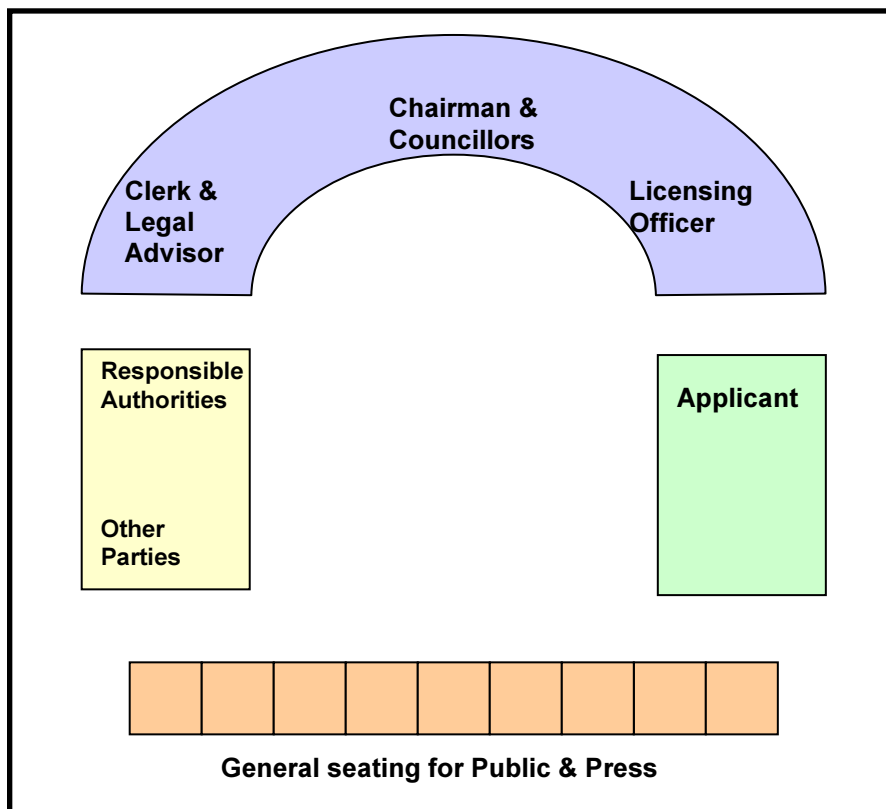
7. Failure of parties to attend the hearing

- 7.1 If a party has informed the Authority that they will not be attending or be represented at the hearing it may proceed in their absence.
- 7.2 If a party does not give notice that they will not be attending but fails to attend and is not represented the Authority may either:
 - (a) Adjourn the hearing if it considers it to be necessary in the public interest; or
 - (b) Hold the hearing in the party's absence.
- 7.3 If the Authority holds the hearing in the absence of a party, it will consider at the hearing the application, the representation or notice given by the party.
- 7.4 If the Authority adjourns the hearing to a specified date it must forthwith (as soon as reasonably practicable under the Gambling Act regulations) notify the parties of the date, time and place to which the hearing has been adjourned.

8. Procedure at the hearing

- 8.1 Composition of Sub-Committee
- 8.2 The Sub-Committee will, usually consist of three members appointed from members of the Authority's Licensing Committee.

- 8.3 No business shall be transacted unless at least two members of the Sub-Committee are present and able to form a properly constituted Sub-Committee.
- 8.4 The usual room layout for the hearing will be as outlined below:



8.5 The usual order of proceedings will be as set out below:

Order of proceedings

The Chairman of the Sub-Committee will open the hearing by introducing the Councillors, explaining the purpose of the proceedings and the general procedure. The Chairman will then check that there are no additions or alterations to the list of those appearing at the hearing.

**Introduction by the
Council's Licensing Officer**



**The Applicant / Licence
Holder**



**Responsible
Authorities (if present)**



**Other Parties
(residents etc...)**



DISCUSSION LED BY THE SUB-COMMITTEE

The Chairman will lead the discussion. This will be a chance for all parties to provide comments on any submissions that have been made to the Sub-Committee.



**Closing remarks from
each party**



**Sub-Committee
deliberates**



**Chairman announces the
decision**

The Licensing Officer will introduce the report and will outline the matter before the Sub-Committee, giving any relevant background information. The Sub-Committee may ask questions of the officer.

The Applicant, licence holder or the person representing him/her will be invited to address the Sub-Committee. They will be allowed sufficient time to present his/her case. The Sub-Committee may ask questions.

Responsible Authorities will be invited to address the Sub-Committee and will be allowed sufficient time. The Sub-Committee may ask questions of the Responsible Authorities.

Other parties will be invited to address the Sub-Committee. Where there are a number of parties making similar representations the Chairman will expect the parties to nominate a spokesperson to make the representations and all will be allowed sufficient time. The Sub-Committee may ask questions of the Other Parties.

The Chairman will invite the Responsible Authorities and Other Parties to make brief closing remarks on the application. The Applicant / licence holder makes the final closing remarks.

The Sub-Committee will remain in the room to deliberate and make their decision, with only the Legal Advisor and the Clerk to the Sub-Committee remaining. All others present will be asked to leave the room.

Parties may return to the room when invited to do so and the Chairman will announce the decision. The Chairman will remind the Applicant / licence holder that the decision will be sent to them in writing. There can be no further questions or statements.

- 8.6 The Sub-Committee may allow the parties to question any other party (if permission is given) and to address the Sub-Committee, but will seek in all cases to avoid repetition of matters (whether included in written material or otherwise) irrelevancy or any abuse of procedure.
- 8.7 The Sub-Committee will be guided by legal principles by determining whether evidence is relevant and fairly admissible. In particular, hearsay evidence may be admitted before the Sub-Committee but consideration will always be given to the degree of weight, if any, to be attached to such evidence in all the relevant circumstances.
- 8.8 When considering any representations or notice made by a party, the Authority may take into account documentary or other information produced by a party in support of their application, representation or notice, either:
- (a) Before the hearing; or
 - (b) With the consent of all other parties at the hearing.
- 8.9 If documentary or other evidence is submitted late or at the hearing, the Sub-Committee may decide to adjourn the hearing so as to allow Members and any other party time to consider the information and that may involve an adjournment of proceedings to another date. The Sub-Committee may decide not to consider the information if no satisfactory explanation is provided for its late submission.
- 8.10 Any party may withdraw their representations by contacting the Democratic Services Department by phone, letter or email, providing they give notice no later than 24 hours before the first day of the hearing. If, during the hearing, any party wishes to withdraw their representations they may do so orally by informing the Chairman.
- 8.11 The Sub-Committee when determining an application or notice under the provisions of the 2003 Act will disregard any information given by a party, or any other person appearing at the hearing which is not relevant to:
- (a) Their application, representation or notice;
 - (b) In the case of another person, the application representation or notice of the party requesting their appearance;
 - (c) The promotion of the licensing objectives; or
 - (d) In relation to a hearing to consider a notice given by the Police the crime prevention objective.
- 8.12 A hearing under the 2003 Act shall take place in public save that:
- (a) The Sub-Committee may exclude the public from all or part of a hearing where it considers that, on balance, it is in the public interest to do so;
 - (b) The parties and any person representing them may be excluded in the same way as another member of the public.

8.13 A hearing under the 2005 Act shall take place in public save that:

(a) The Sub-Committee may direct that all or part of a hearing must be in private if it is satisfied that it is necessary in all circumstances of the case, having regard to:

- Any unfairness to a party that is likely to result from a hearing in public; and
- The need to protect as far as possible, the commercial or other legitimate interests of a party.

8.14 The Sub-Committee may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may:

- (a) Refuse to permit the person to return; or
- (b) Allow them to return only on such conditions as the Authority may specify.

8.15 Any person excluded may, before the end of the hearing, submit to the Sub-Committee in writing, any information which, they would have been entitled to give orally had they not been required to leave and the Sub-Committee will take that information into account in reaching a determination of the application or review.

9 Determination of the application and time limits

9.1 For applications determined under the 2003 Act the Sub-Committee must make its determination at the conclusion of the hearing where the application is for:

- (a) A review of a premises licence following a closure order;
- (b) A summary review of a premises licence
- (c) A personal licence by the holder of a justices licence;
- (d) A counter notice following police objection to a temporary event notice.

9.2 In any other case, the Authority must make its determination within the period of five working days, beginning with the day or the last day on which the hearing was held.

9.3 Where a hearing has been dispensed with because all of the parties have agreed that a hearing is unnecessary (and the Authority has agreed, giving notice to the parties in writing) then the Authority must make its determination for the 2003 Act applications, reviews and notices within 10 working days beginning with the day the Authority gives such notices to the parties.

10 Record of Proceedings

10.1 The Authority must arrange for a record to be taken of the hearing in a permanent and intelligible form and for that record to be kept for six years from the date of determination. Where an appeal is brought against a determination by the Authority, the record must be kept for six years from the date of disposal of the appeal.

11 Irregularities

- 11.1 Proceedings will not be rendered void only as the result of failure to comply with any provision of the Regulations.
- 11.1 Where the Authority considers that any person may have been prejudiced as a result of an irregularity relating to the Regulations, it will take such steps, as it thinks fit to cure the irregularity, before reaching its determination.
- 11.2 Clerical mistakes in any document recording a determination of the Authority or errors arising in such a document as a result of an accidental slip or omission may be corrected by the Authority.

12 Notices

- 12.1 Any notices under these regulations will be given in writing. Such a notice may be sent electronically, providing:
- (a) It can be accessed by the recipient in a legible form;
 - (b) It is capable of being reproduced as a document for future reference;
 - (c) The recipient has agreed in advance to receive it in such form;
 - (d) A copy is sent in documentary form forthwith to the recipient.

13 Appeals.

- 13.1 Either those that have made an application or those who have made representations on an application may have the right to appeal the Authorities decision to the Magistrates' Court.
- 13.1 An appeal must be commenced within twenty one days beginning with the day on which the appellant was notified by the Licensing Authority of their decision.
- 13.2 Notice of appeal should also be sent to the Authority's Legal Services Department.

14. Other information and contact details.

- 14.1 The minutes of a hearing will be made available on the Council's website at: www.hillingdon.gov.uk
- 14.2 Applicants for new premises licences, club premises certificates, applications for provisional statements and applications for variations of existing premises licences or club premises certificates must display a notice on the premises and advertise the application in a local newspaper.
- 14.3 All applications once they are lodged will be available for viewing on Hillingdon Council's website at www.hillingdon.gov.uk and in the Civic Centre Offices by appointment with the Regulatory Services Department during working hours.

14.4 The address and contact details for Democratic Services are:

Clerk to the Committee
Democratic Services
3E/05
Civic Centre
Uxbridge
UB8 1UW

14.5 The address and contact details for Legal Services are:

Legal Services Department
3E/04
London Borough of Hillingdon
Civic Centre
Uxbridge
UB8 1UW

DX: 45101 Uxbridge

Appendix 1

**Hearing Protocol for interim hearings held pursuant to
Section 53A to 53C of the Licensing Act 2003.**

1. Introduction.

- 1.1 The powers under Section 53A to 53C of Licensing Act 2003 ("the Act") are aimed at tackling serious crime and serious disorder.
- 1.2 The powers allow the police to trigger a fast track process to review a premises licence where the police consider that the premises are associated with serious crime or serious disorder (or both) and the Licensing Authority to respond by taking interim steps quickly, where appropriate, pending a full review.

2. Triggering the expedited review.

- 2.1 The Chief Officer of Police for the area in which the premises are situated may apply to the Licensing Authority for an expedited licence review if a senior member of the force has issued a certificate that in his/her opinion a licensed premises is associated with serious crime and serious disorder (or both).

3. The Licensing Authority and the interim steps.

- 3.1 Within 48 hours of receipt of the chief officer's application, the licensing authority must give the premises licence holder and the responsible authorities a copy of the application for review and a copy of the certificate and must also consider whether it is necessary to take interim steps pending the determination of the review applied for. When calculating the 48 hour period any non-working day will be disregarded.
- 3.2 Consideration of the interim steps may take place without the holder of the premises licence having been given an opportunity to make representations to the relevant Licensing Sub-Committee. There is no requirement to hold a formal hearing in order to take interim steps. This means that the relevant Sub-Committee members can communicate by telephone or other means in order to reach a decision. In such circumstances, a written record will always be produced as soon as possible after a decision is reached.
- 3.3 The interim steps that the Licensing Authority must consider taking are-
 - The modification of the conditions of the premises licence;
 - The exclusion of the sale of alcohol by retail from the scope of the licence;
 - The removal of the designated premises supervisor from the licence;
 - The suspension of the licence.
- 3.4 In the event that the Licensing Authority decides to take one or more such steps-
 - (a) Its decision takes effect immediately or as soon after that as the Licensing Authority directs; but
 - (b) It must give immediate notice of its decision and of its reasons for making it to-
 - (i) the holder of the premises licence; and

(ii) the Chief Officer of the Police for the area in which the premises are situated.

3.5 The Act does not specify that the immediate notice has to be in writing. Where the Licensing Authority decides that the decision should take immediate effect and the licence holder was not present for the decision, then it will approach the licence holder by telephone and the call will be followed up as soon as possible with a written version of the decision and the reasons which is identical to or not significantly different from the version given by telephone.

4. Making representations against the interim steps.

4.1 The holder of the premises licence may make representations against the interim steps taken by a Licensing Authority.

4.2 There is no time limit for the premises licence holder to make representations on the interim steps, although in practice this would at some point be superseded by the full review which has to be completed within 28 days of the application being received by the Licensing Authority.

4.3 On receipt of a representation the Licensing Authority must, if the representations are not withdrawn, hold a hearing to consider those representations within 48 hours of the time of its receipt.

4.4 The Licensing Authority must give advance notice of the hearing to-

- (a) the holder of the premises licence;
- (b) the chief officer of police for the area in which the premises are situated.

4.5 At the hearing, the Licensing Authority must -

- (a) consider whether interim steps are appropriate for the promotion of the licensing objectives; and
- (b) determine whether to withdraw or modify the steps taken.

4.6 The Licensing Authority cannot adjourn the hearing to a later date if the licence holder fails to attend at the scheduled time.

4.7 The licence holder does not need to be present for the hearing to take place.

4.8 There is no timescale for notifying the licence holder of the hearing under this process, providing the notification takes place before the hearing is held. However, the Licensing Authority will aim to provide the licence holder with as much notice as is possible in the circumstances to afford the holder a maximum opportunity to prepare for and attend the hearing.

4.9 There is no right of appeal to a Magistrates' Court against the Licensing Authority's decision at this stage.

5. The review of the premises licence.

5.1 Within 28 days of receipt of an application under section 53A of the Act, the Licensing Authority must:

- hold a Sub-Committee hearing to consider the application for review and any relevant representations;
- take such steps as it considers appropriate for the promotion of the licensing objectives;
- secure that, from the coming into effect of the decision made on the determination of the review, any interim steps having effect pending that determination cease to have effect.

5.2 Those steps are-

- (a) the modification of the conditions of the premises licence;
- (b) the exclusion of a licensable activity from the scope of the licence;
- (c) the removal of the designated premises supervisor from the licence;
- (d) the suspension of the licence for a period not exceeding three months; or
- (e) revocation of the licence.

5.3 The Licensing Authority must:

- advertise the review inviting representations from any persons for no less than seven consecutive days and if applicable on the Licensing Authority's website;
- advertise that any representations made by the premises licence holder, responsible authority and any other persons should be submitted to the Licensing Authority within 10 working days of the advertisement of the review appearing; and
- give formal notice of the hearing no later than five working days before the day or first day on which the hearing is to be held to the premises licence holder and to every responsible authority.

5.4 A party shall give to the Licensing Authority a notice no later than two working days before the day or first day of the hearing stating whether-

- he intends to attend or be represented at the hearing;
- he considers a hearing to be unnecessary
- he would like permission for any other person to appear at the hearing and if so, explain on which points that person will be able to contribute.

5.5 The regulations relating to hearings are set out in the Licensing Act 2003 (Hearings) Regulations 2005. They apply to final hearings under the section 53A(2)(b). The issues that these regulations deal with include who can make representations and what those representations can be about. It is therefore possible for responsible authorities or any other persons to make representations in relation to any of the licensing objectives, not just crime and disorder. Similarly where it is in the public interest, the regulations relating

to the exclusion of individuals from hearings, or conducting the hearing in private, will apply.

- 5.6 The Licensing Authority must notify the determination and its reasons for making it to-
- (a) the holder of the premises licence;
 - (b) any person who made relevant representations; and
 - (c) the chief officer of police for the area in which the premises are situated.
- 5.7 An appeal may be made to the Magistrates' Court within 21 days of the licence holder being notified of the Licensing Authority's determination on the review.
- 5.8 An appeal may be made by the premises licence holder, the chief officer of police and/or any other person who made relevant representations.
- 5.9 The decision of the licensing authority, following the review hearing, will not have effect until the end of the period allowed for appeal, or until the disposal of the appeal.

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Application for a Temporary Street Trading Licence

Committee	Licensing Sub-Committee
Officer Contact	Stephanie Waterford, Licensing Officer 01895 277232
Papers with report	Appendix 1 - Application form & Plan Appendix 2 - Site map of the local area Appendix 3 - Representation from Michael Facey Appendix 4 - Representation from Pavilions Centre Manager Appendix 5 - Written Submissions from the applicant Appendix 6 - Information from the Highways Service
Ward name	Uxbridge North & Uxbridge South

1.0 SUMMARY

An application has been received for a Temporary Street Trading Licence for a new pitch to be located in the centre of the pedestrianised area between Marks & Spencer and Greggs on High Street, Uxbridge. The proposed pitch will be used to sell fruit and vegetables.

2.0 RECOMMENDATION:

That the Sub-Committee GRANT the licence in full as applied for.

3.0 APPLICATION

3.1 Name of applicant
John Mark Craddock

3.2 Type of application applied for
Temporary Street Trading licence for a maximum period of 6 months, following which, a renewal application will be made to continue the licence for a further period.

3.3 Pitch details
The application is for a pitch measuring 5 x 4 metres to be located on the pedestrianised area of the High Street between Marks and Spencer and Greggs Bakery.

3.4 A copy of the application form and plan is attached as **Appendix 1**

3.5 A site map of the local area is attached as **Appendix 2**.

3.6 Commodities
The pitch will be used to sell fruit and vegetables

4.0 CONSULTATION

4.1 Closing date for representations 30th June 2016

4.2 The relevant consultees were notified of the application on 14th June 2016. The consultees are:

- Highways
- Anti Social Behaviour team
- Uxbridge Town Centre Management
- Uxbridge North and Uxbridge South Ward Cllrs

5.0 Responses to the consultation

5.1 A letter of objection was received from Mr Michael Facey, Centre Manager of Pavilions Shopping Centre. This is attached as **Appendix 3**.

5.2 A letter of objection was received from Mr Aaron Bayliss, Centre Manager of Pavilions Shopping Centre. This is attached as **Appendix 4**.

6.0 FURTHER INFORMATION

6.1 Following receipt of the two letters of objection, the applicant was contacted to request further details of the proposed operation and ask for information specifically to address the concerns highlighted in the objections.

The applicant provided a written response which is attached as **Appendix 5**.

6.2 The Highways Service have provided information on their assessment of the application. This is included as **Appendix 6**.

6.3 In discussions with the applicant regarding events of local significance in the High Street, i.e. RAF Parades, Bigfest etc, it has been agreed that these will be assessed on a case by case basis and the stall will close or be relocated as necessary. Currently, this arrangement is in place with all street traders along Uxbridge High Street and works well.

8.0 LEGAL COMMENTS

8.1 The granting of a temporary street trading licence under the London Local Authorities act 1990 is discretionary and the Act does not set specific criteria for determining temporary applications. Determination of applications must therefore be in accordance with the Council's published Street Trading Policy (the "Policy"). Decisions must be in accordance with the policy unless there are strong reasons for departing from it.

8.2 In accordance with the Policy, applicants must be aged 17 years or older and suitability will be assessed on a case by case basis and information about an applicant's enforcement history with the Council may be referred to.

8.3 In considering applications for the grant or renewal of a street trading licence the following factors specified in the Policy should be considered:

- Paragraph 1.3 of the Policy states:
"The Council is keen to create a thriving street trading environment which is sensitive to the needs of traders and residents and one which promotes consumer choice and enhances the trading and business opportunities in the borough."
- Paragraph 2.1 of the Policy states:
"Traders should be aware that this policy relates only to street trading activities and it is the responsibility of the trader to ensure that they are compliant with other legislation. Traders should consider whether their activities are likely to require authorisation and/or compliance with other regulatory regimes. For example; Planning, Building Control, Food Safety, Health & Safety, Control of Waste, Highway Obstruction, Trading Standards, Late Night Refreshment/ Entertainment/Alcohol Licensing etc."
- Paragraph 10.5 of the Policy states:
"The discretionary grounds for refusal are:
 - a) *There are enough street traders in the area offering the same or similar goods to those of the applicant.*
 - b) *The applicant is unsuitable to hold a licence.*
 - c) *The applicant has previously demonstrated misconduct or unscrupulous behaviour whilst being the holder of a street trading licence.*
 - d) *The applicant has failed to comply with the terms or failed to pay a fee of a street trading licence.*
 - e) *The applicant has failed to propose suitable measures for the storage of perishable items when street trading is not taking place.*
 - f) *The applicant of a shop front licence is proposing to sell goods or offer services which are not sold or offered for sale within that shop.*
 - g) *The applicant is not the owner/occupier of a shop outside which a shop front trading licence is sought."*
- Paragraph 10.7 of the Policy states:
"The Council may also have regard to the other following factors when considering the impact on the local area of the proposed trading activity. This may result in additional conditions being imposed upon any licence granted."
 - a) *Public Safety – whether the street trading activity represents, or is likely to represent, a substantial risk to members of the public from the point of view of obstruction of the highway for emergency vehicles, or otherwise, a fire hazard, unhygienic conditions or other danger that can be reasonably foreseen, that may occur when a trader is using the site.*
 - b) *Prevention of Crime and Disorder – whether the street trading activity represents, or is likely to represent, a substantial risk to public order. This is potentially more of an issue for traders wishing to operate as part of the night time economy.*

- c) *Prevention of public nuisance or environmental damage – whether the street trading activity represents, or is likely to represent, a substantial risk of nuisance or environmental issues. Examples include; damage to street surfaces; noise; litter; refuse; vermin; fumes/odours etc.*
- d) *Appearance of trading area – Whether the street trading area is properly constructed and presented and enhances the aesthetic street scene of an area. Guidance will be given to applicants regarding the standard expected by the Council."*

- 8.4 If discretionary grounds for refusal do exist, the Sub-Committee may still decide to award a licence – but this could be for a shorter period than required, or to allow trading only in certain commodities.
- 8.6 Standard conditions will be attached to every street trading licence. Where relevant, the Licensing Sub-Committee may attach specific trading conditions to a street trading licence.
- 8.7 There is no right of appeal against a decision to refuse a temporary street trading licence.



HILLINGDON
LONDON

Application for a New Street Trading Licence

Pursuant to the London Local Authorities Act 1990 (as amended)

Important Notes:

1. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
2. You may wish to keep a copy of the completed form for your records
3. Incomplete applications will not be processed and returned to the applicant

Section 1. – Premises details

1.A Address/location of premises;

Trading Name of Premises

Address

.....

..... Post Code

Contact number at premises

1.B Please tick the type of licence you are applying for;

- ☐ Shop Front
☐ Tables & Chairs
☒ Pitch

1.C Information relating to Shop Front applications only;

Size of shop front licensed area; ☐ 1 Metre ☐ 2 Metres ☐ 3 Metres

1.D Information relating to Tables & Chairs applications only;

How many Tables & Chairs will you be placing in the licensed area?

1.E Information relating to Pitch applications only;

Please provide details of the size and location of the proposed pitch 5x4 metres

The pavement area outside Marks and spencers, opposite Greggs
on Uxbridge high street

Section 2. – About the Applicant & Assistants

2.A Applicants details;

Title MR First Name/s JOHN MARK
 Surname/s CRADDUCK
 Address 58 SEDGWICK AVENUE
HILLINGDON
 Post Code UB10 9PG
 Date of Birth (D/M/Y) [REDACTED] Place of birth [REDACTED]
 Mobile number [REDACTED] email [REDACTED]

2.B Assistant 1 Details;

Title MR First Name/s GLYN
 Surname/s CRADDUCK
 Address 52 BEDFORD RD
LUISLIP 9DWS
 Post Code HA4 6NA

2.C Assistant 2 Details;

Title MR First Name/s BRIAN
 Surname/s STANTON
 Address
 Post Code

Section 3. – Details of trading

3.A Hours of trade;

Please give the days and times during which street trading activities will take place;

Monday	6:00	to	7:00	Friday	6:00	to	7:00
Tuesday	6:00	to	7:00	Saturday	6:00	to	7:00
Wednesday	6:00	to	7:00	Sunday	_____	to	_____
Thursday	6:00	to	7:00				

3.B Articles/Commodities/Services for sale;

FRUIT AND VEG

Section 4. Checklist & Declaration**4.A Checklist**

Please tick;

- ☐ I have enclosed a copy of my Photo ID (*Passport, Driving Licence etc*)
- ☐ I have enclosed proof of home address for myself and the assistants
- ☐ I have enclosed the licence fee of **£72 per Metre**
- ☐ I have enclosed a plan/map of the proposed licensed area
- ☐ I have enclosed evidence of public liability insurance to £2million
- ☐ I have enclosed passport size photos of myself and the assistants
- ☐ I understand that I must display a notice of application in the window of the application premises for 21 days
- ☐ I understand that if I do not comply with the above requirements, my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE NOT EXCEEDING £20,000, FOR ANY PERSON TO MAKE A FALSE STATEMENT WHICH HE KNOWS TO BE FALSE IN ANY MATERIAL RESPECT, OR WHICH HE DOES NOT BELIEVE TO BE TRUE IN CONNECTION WITH AN APPLICATION FOR THE GRANT, VARIATION, RENEWAL OR TRANSFER OF A STREET TRADING LICENCE.

Applicant

I JOHN CRADDOCK (insert name) declare that the information given in this application is true and complete in every respect.

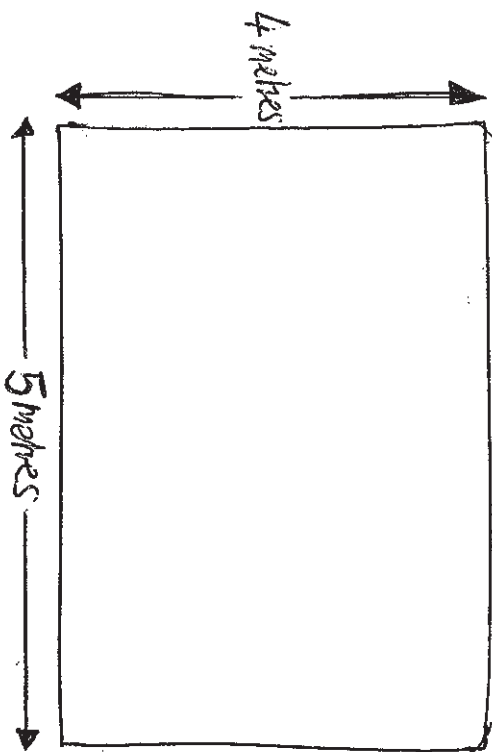
Signature;  Date; 24/05/16

Please send your application and its enclosures to;

The Licensing Service
London Borough of Hillingdon
Civic Centre
High Street
Uxbridge
UB8 1UW

MARKS AND SPACERS

○ LAMPPOST



CHIPS

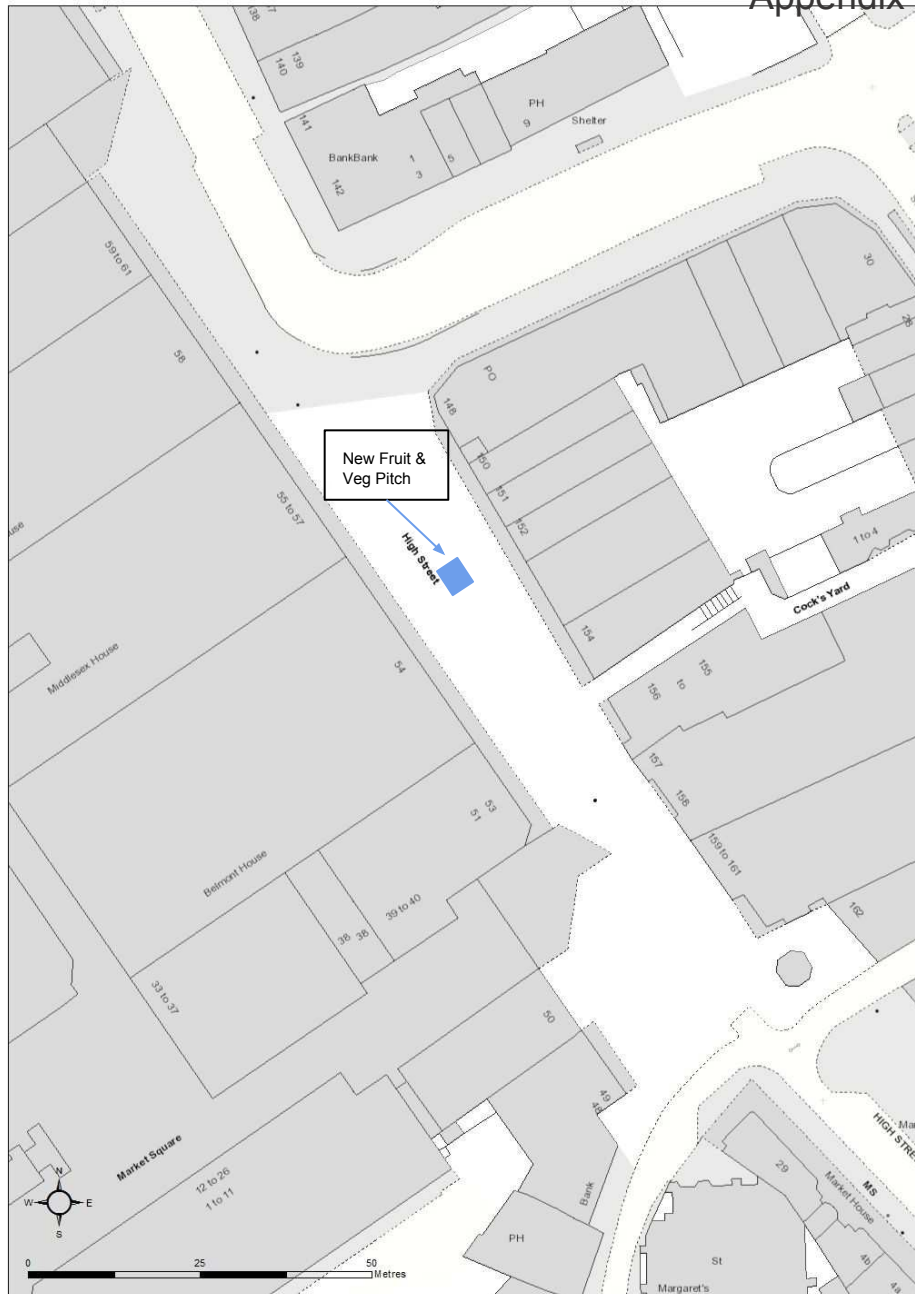
○ LAMPPOST



○ BUSH



Appendix 2



Map Notes

(c) Crown copyright and database rights 2015 Ordnance Survey 100019283

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UXBRIDGE MARKET TRADERS CO. LTD

Please reply to: 40 Kingsway, Chalfont St Peter, Gerrards Cross SL9 NU

Tel: [REDACTED] **email:** [REDACTED]

Application Processing Team
Resident Services
Civic Centre 3N/04
Uxbridge UB8 1UW

28 June 2016

Dear Sir

Re: New Street Trading Pitch Application – Uxbridge Flower Stall

I have been informed of the above application which in my opinion is an unsuitable use for the site. I have managed the Town Centre Market for nearly fifty years and have considerable experience in the supervision of greengrocer users which, on reflection, have caused me more effort and trouble than all the rest of the traders put together. I fail to see how the inevitable consequences from such a letting can enhance and bring benefit to the town.

The pitch will be in prominent position with unrestricted pedestrian access. Greengrocers by their very nature mean that goods will have to be transported to the stall on a continual basis. Considerable waste and mess accumulate all the time. Most of this ends up on the floor and although independent management will help in controlling the dangerous incursion into the public area this overseeing management (i.e. the Council) will need to have close control. It is worth pointing out that in the early days of the Pavilions I had greengrocers some distance from approved waste disposal. There was great danger that spillage from transport of this waste could lead to falls. This danger led me to monitor the situation on a regular basis and, as a result, I moved the greengrocer to the position he now occupies immediately adjacent to rubbish disposal and to lifts enabling him to replenish his stock with the minimum danger to the public. This was a great improvement. Close control is also needed to ensure that delivery trolleys and waste are not left in public areas either in the long or short term. The trade by nature is always a “hurry up” operation and serving customers comes before everything else. Good housekeeping inevitably a secondary consideration at the very best. In addition, the arrangements for the disposal of waste must be exemplary and regularly inspected by the Council.

We must also consider the cleaning of the site at the end of trading. Before the Pavilions had a roof and was refurbished the flooring was much as the pavement for the proposed pitch. At that time my attention was constantly drawn to the staining and soiled floor by Centre Management. Where possible we had to hose at high pressure to effect satisfactory cleaning.

Cont/

/cont

Indeed Watford Market, which in those days had several greengrocers, was high pressure hosed by a dedicated team every night. Furthermore, when I managed the temporary market in Vine Street the then Public Health Department compelled me to hose and to provide trapped gullies solely as a result of greengrocer's waste. These gullies were cleared weekly. In my considered opinion before this application is further considered the Council must provide a high pressure water supply and protected drainage. Arrangements must be put into place to safeguard the public whilst these operations are in progress. Now the Pavilions has terrazzo flooring and the staining caused by this waste is still a source of constant complaint.

In conclusion it is my opining that this application should be refused as the site is unsuitable for the use and will detract from the amenity of the area. Isolated units of this type represent a considerable danger to the public and should be avoided. Whilst not a ground for refusal it is worth noting that the area is well served by supermarkets and other outlets none of which present the difficulties and possible dangers presented by this application.

Yours sincerely

Michael Facey

Directors: M.R.Facey (Managing) G.W.Porter R Bourne
Registered Office: 8 Churchill Court, 58 Station Road, North Harrow, Harrow
HA2 7SA Company Registration No 965101 Registered in England



Applications Processing Team
 London Borough of Hillingdon
 Resident Services
 Civic Centre. 3N/04
 Uxbridge
 UB8 1UW

Centre Management Office
 18 Chequers Square
 Uxbridge
 Middlesex
 UB8 1LN
 T. 01895 233926
 F. 01895 811357
www.thepavilions.co.uk

Wednesday, 29 June 2016

Dear Sir or Madam

Ref: Application For A Fruit & Vegetable Stall Outside Marks & Spencer - Uxbridge High Street

I write on behalf of The Pavilions Shopping Centre, its Owners and Agents, and in relation to the application to the London Borough of Hillingdon to license the installation of a fruit and vegetable stall in Uxbridge High Street, adjacent to 54 High Street (Marks & Spencer).

It is our contention that such a use in the proposed location is unsuitable as a whole, and offers no benefit to residents of, or visitors to Uxbridge, nor to the businesses located therein. Our reasons for forming these conclusions are as follows:

- 1) Although there are no 'street traders' in the area offering the same or similar goods to those proposed by the applicant, similar goods are already on offer by London Borough of Hillingdon Market traders (temporary and permanent), and by other national retailers, within a short distance of the proposed location. We therefore believe that demand for the proposed articles for sale are already adequately provided for in the geographical location of the proposed site. Should the licence application be considered further, it would be our suggestion that it be sited at a location to the Southern end of the High Street, where existing provision is less adequate.
- 2) There are no details provided to propose suitable measures for the storage of perishable items when street trading is not taking place. If a scenario existed whereby the applicant would be partnering with an established fruiterer/greengrocer in the London Borough of Hillingdon Market, we believe that it would be inappropriate for the storage provisions within The Pavilions Shopping Centre in relation to that fruiterer/greengrocer to be used to service this external proposal.
- 3) On a similar vein, and to respectfully clarify in advance, if there is any intention by the applicant to service the proposed site via The Pavilions Shopping Centre at any time, I can confirm that the centre will not permit the use of the centre's delivery areas, lifts, and malls for deliveries of stock to, or from the proposed site, nor the transmittal of waste product into The Pavilions Shopping Centre from the proposed site, nor the use of any facilities or utilities within the shopping centre in relation to the proposed site.

- 4) Should a licence be considered further, and in the interest of fair completion, it would be our suggestion that the days/times of trading activity should be limited to not exceed those of other retailers having the same articles for sale.
- 5) Whilst we are aware that the applicant operates a highly reputable, well presented, and well-managed floristry business in Uxbridge High Street at present, we have not had sight of the proposals for the stall from which the fruit and vegetable business may operate. Should it be proposed to be similar in design to the existing floristry stall, across a foot print of 4 metres by 5 metres, it would most definitely interfere with sightlines to shops around the Northern end of the High Street, and adversely affect the aesthetics of the shopping area.

In summary, we support the initiative to make Uxbridge High Street a buoyant and inviting shopping environment, including the addition of innovative street trading where appropriate, but maintain that this application offers no benefit to this area of the High Street, and serves only to draw business from vendors already established in the geographical location.

Furthermore, Uxbridge already has a reputable and well-established market, tenants of the London Borough of Hillingdon, and this application, if granted, only acts as a precedent to introduce further market traders to the High Street, in competition to the established market, and at a difficult retailing period when they most need whatever protection can be afforded to them.

I thank you for your kind consideration to our comments.

Yours sincerely

A solid black rectangular box used to redact the signature of Aaron Bayliss.

Aaron Bayliss – Centre Manager



Stephanie Waterford <swaterford@hillington.gov.uk>

Application Process

1 message

John Craddock

30 June 2016 at 23:14

To: Stephanie Waterford <swaterford@hillington.gov.uk>

Dear Stephanie/council members

After reading the objections to our proposal of a fruit and veg pitch on the high street, I feel it necessary to re-assure yourselves at the council and those who are against or unsure of our proposal. A few issues have been raised which can be quite simply dispelled with our knowledge of street trading conditions and Hillingdon Borough legislation which we have been accustomed to through our previous years of experience and involvement in the towns issues.

The first of these objections is to our choice of location being deemed unsuitable and of no benefit to residents, shoppers and local businesses. We feel as though this particular stretch of pathway is frequented by persons who may use this as a route from one end of the high street to the train station, into shopping centre or the opposite end of the high street and so will not necessarily pass other greengrocers unless they side track into the Pavillions shopping centre. The only businesses nearby which offer this product are Tesco at the end of the high street and Marks and Spencer. Both of which have not objected to our proposal and so may not see this as an issue. As far as how close these pitches will be situated to each other, There are two fruit and veg stalls 30 yards from each other with Marks and spencers fruit and veg department in very close proximity already trading in each pockets clearly quite successfully for a number of years. Another greengrocer positioned on the high street away from these traders outside the pavillions will have little if any impact on their businesses. More importantly, we all know that competition holds no ground when applying for a license as our dealings with the French Continental market has taught us. Any comments regarding competition cannot be taken into consideration based on the councils own legislation.

The concerns about an already existing established fruiterer/grocer to the Pavillions shopping centre using its amenities is not a matter for the council to be troubled with, This is an issue between the fruiterer concerned and the Pavillions centre management. Just to put minds at ease while on the subject, no storage will be used, no service lifts, goods deliveries or waste deposition will be conducted on the Pavillions centre premises. All business concerning the high street pitch will be carried out on the high street at this location. Goods storage will be provided off site when out of hours and beneath the selling display within the pitch during trading hours to eliminate the need to re-stock and interfere with public footfall. Waste removal is already in place for this business. Waste which could accumulate throughout the day from stock preparation and handling will be dealt with immediate effect. Any stock boxes emptied for display purposes will be removed before trading hours or contained inside the stall in a neat and tidy fashion. No debris or waste will be left at the location once trading ends as this will obviously violate street trading terms and conditions and also show a blatant disregard for the welfare of Uxbridge visitors/residents. The only possible dangers caused by operating this pitch would be through negligence on our part. As both myself and my partner have years of experience with market stalls and street trading, we are certain that we can uphold whats expected of us in our conduct.

The days and times of trading will not exceed the times and days granted to ourselves by the council for this license.

The pitch we have proposed is in a vast expanse of walkway with more than adequate room for access to street furniture and access to nearby shops. We have actually previously had a license to trade from this exact location some years back with flowers and plants. Those of you who have worked or lived in Uxbridge may remember. There were no objections in the application process for this site regarding sitelines of shops or town aesthetics, nor were there complaints from any party there after. The structure will be erected and dismantled every morning and evening. It will be kept clean and well maintained as we aim to achieve the same standard of image that we currently work to on our existing flower pitch.

To summarise, all of the concerns shown are issues we have already discussed and addressed ourselves. The council have extensive knowledge on all these matters and have been through the motions on numerous previous occasions and events so have all the measurements of public freeflow needed to make a judgement on size allowance and access and any problems which could arise from allowing a pitch at this location. This isn't an application from an inexperienced company starting up a business without knowledge of the town dynamic or understanding the needs of the town. Both my dad and my partner had a pitch inside Uxbridge tube station over 25 years ago before any of the current traders were here. We see a position which will benefit the increasing popularity of Uxbridge with the increase in residential properties, offices which are being built in multiple close proximity locations and an increase in shoppers with the new Primark coming later this year. To say there is no need for more

market stalls in a town which is known as a market trading town makes no sense to me at all.

Hopefully this covers any concerns raised. Any of the parties who have further uncertainties about the proposal are more than welcome to discuss these issues in person with me. As of yet, nobody has approached me with any queries or doubts and neither has anybody directly involved in this industry put an objection in i.e the Pavillions greengrocers.

Thanks for your consideration

Kind Regards

John Cradduck

The Flower Stall

Stephanie Waterford <swaterford@hillington.gov.uk>

New Fruit and Veg stall application - Uxbridge High Street1 message

Wayne Greenshields <wgreenshield@hillington.gov.uk>

19 July 2016 at 16:49

To: Stephanie Waterford <swaterford@hillington.gov.uk>

Dear Steph,

As discussed, in relation to the above I have been to the site requested and taken some measurements and can confirm the area requested has sufficient availability to erect stall and maintain safe footfall.

I you need any further information regarding this matter, please do not hesitate in contacting me.

Regards

Wayne Greenshield
Network Operations Manager
Traffic Management Section
Residents Services
4W/07, Civic Centre
High Street
Uxbridge
UB8 1UW
London Borough Of Hillingdon
01895277553
07411966799

E,mail -wgreenshield@hillington.gov.uk

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Agenda Item 6

Application for the grant of a Premises Licence: Staycity

Committee	Licensing Sub-Committee
Officer Contact	Ian Meens Licensing Officer Ex 01895 277067 (7067)
Papers with report	Appendix 1 - Officer Recommendation Appendix 2 - Application for the grant of a premises licence including proposed plan Appendix 3 - Representations from Interested parties Appendix 4 - Map of the area and photograph of the premises
Ward name	Botwell

1.0 SUMMARY

To consider an application for a Premises licence in respect of Staycity Heathrow, High Point Village, Hayes, UB3 4FL and representations against the application received from four interested parties and a petition of 68 signatures.

2.0 RECOMMENDATION

That the Sub-Committee GRANT the application with recommendations / conditions set out in Appendix 1.

3.0 APPLICATION

The new Premises Licence application has been made by John Gaunt & Partners solicitors acting for Staycity Heathrow Ltd. Company No 07687878.

3.1 Type of application applied for New Premises Licence

3.2 Description of premises

The premise as a whole is a serviced apartment hotel consisting 269 one and two bedroom apartments. The areas identified as the proposed licensed areas are situated over two floors of the hotel being the ground floor lobby / coffee lounge and the first floor restaurant and terrace.

The hotel is part of the Point Village development adjacent to Hayes and Harlington Station. The relatively new development consists of a number residential blocks consisting of flats and shops.

There is an extensive description which can be seen on Page 4 of the application.

3.3 A copy of the application form and premises plan is attached as **Appendix 2**

3.4 Licensable Activities

<u>Activity</u>		<u>Proposed for new premises licence</u>
Sale of Alcohol:	Consumption on the premises	x
	Consumption off the premises	x
Regulated Entertainment:	Plays	
(Indoors Only)	Films	
	Live Music	
	Recorded Music	
	Performances of dance	
	Indoor Sporting Events	
	Boxing/Wrestling	
Late Night Refreshment (on and off the premises)		x

3.5 Licensable Activity Hours

	Proposed hours for Premises Licence Alcohol	Proposed hours for Premises Licence Late Night Refreshment
Monday	10.00-00:30	23:00-00:30
Tuesday	10.00-00:30	23:00-00:30
Wednesday	10.00-00:30	23:00-00:30
Thursday	10.00-00:30	23:00-00:30
Friday	10.00-00:30	23:00-00:30
Saturday	10.00-00:30	23:00-00:30
Sunday	10.00-00:30	23:00-00:30

Non Standard Timings

The premises shall remain open to permit the sale of Alcohol and Late Night Refreshment to hotel residents 24hours a day.

To permit the licensing activities from the beginning of business New Years Eve to the end of business New Years Day

3.6 Opening Hours

	Proposed hours for premises licence
Monday	06.00-01:00
Tuesday	06:00-01:00
Wednesday	06:00-01:00
Thursday	06:00-01:00
Friday	06.00-01:00
Saturday	06.00-01:00
Sunday	06.00-01:00

3.7 Operating Schedule and Conditions

- 3.8 The operating schedule, as proposed by the Applicant, can be found in the application form in **Appendix 2**.
- 3.9 Section 18 of the operating schedule demonstrates the steps the applicant proposes to take in order to promote the licensing objectives.
- 3.10 A full list of licence conditions which are consistent with the operating schedule as set out in section 18 are contained in **Appendix 1** (officers recommendation).

4.0 **CONSULTATION**

- 4.1 Closing date for representations
14th July 2016
- 4.2 Public Notice published in local newspaper
22nd June 2016 - Uxbridge Gazette

5.0 **REPRESENTATIONS**

5.1 **RESPONSIBLE AUTHORITIES**

No Representations were received from Responsible Authorities.

- 5.2 There are 4 representations from other parties

Interested Parties	Ground for Representation	Appendix
Kamil Shah	Crime and Disorder and Public Safety	Appendix 3
Simonetta Idili	Nuisance and Crime and Disorder	Appendix 3
Jasvir Panesar	Nuisance and Crime and Disorder	Appendix 3
Tony James Lead petitioner	All licensing objectives	Appendix 3

6.0 BACKGROUND INFORMATION

6.1 Designated Premises Supervisor

The proposed designated Premises Supervisor is Edion Bashllari.

6.2 Other licensed premises nearby

There are four off licensed local stores within 100 meters which are currently licensed to 23.00 weekdays and Saturdays. There are two public houses licensed with terminal hours from midnight weekdays to 01:00 or 02:00 at weekends.

Maps of the area and photos of the premises are attached as **Appendix 4**.

6.3 There has been no recorded Members Enquires for this site.

7.0 OFFICER'S OBSERVATIONS

7.1 Observations

7.2 This is an application to licence two areas of a 269 apartment roomed hotel. The areas subject to the application are on the ground and first floor levels. The ground floor area is the area covered by a reception and a coffee lounge and has direct access to Station Approach.

The first floor area which is above the reception is a restaurant and dining area being used and adapted into different functions throughout the times it is open to residents and the public. This area also has a terrace being an outside area which overlooks the station and hotel front entrance in Station Approach.

7.3 The application is for the licensable activities of Late Night Refreshment and Alcohol sales, both ending for the general public at 00:30 each day with an allowance for half an hour drinking up. Thereafter the premises can remain open for both activities for residents only but not for guests of residents.

7.4 The application has triggered a petition of 68 names on three pages. Two of the pages have the same heading and the third a slightly different heading. The third page indicates an objection to non residents using the bar.

7.5 S182 Guidance

The Committee's attention is drawn to the following particularly relevant section of the S182 Guidance:

- 10.8 The licensing authority may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives. This provision also applies to minor variations.
- 10.9 It is possible that in some cases no additional conditions will be appropriate to promote the licensing objectives.

7.6 Relevant sections of the Licensing Policy

- 14.5 Representations about an application must be made in writing to the Council's Regulatory Services Team within the statutory time limits.
- 14.6 Written representations include letters and emails. Representations received after the end of the public consultation period cannot legally be accepted and will not be considered by the Licensing Authority.
- 14.7 Representations must contain;
- a) The name, full address & post code, of the person making them;
 - b) The reasons for their representation;
 - c) Which of the four Licensing Objectives the representation relates to i.e. Crime and disorder; Public Nuisance; Public safety; Protection of children from harm.
- 14.8 Representations which do not meet this requirement may be rejected as being irrelevant or frivolous or vexatious.
- 14.9 Representations based on 'Need' for licensed premises, concerns the commercial demand for another pub, restaurant, off licence or hotel. This is not a matter for the licensing authority in discharging its licensing functions. 'Need' is a matter for planning committees and for the market. Representations made on the basis of need are likely to be rejected.
- 14.10 All valid representations will form part of a committee report that will become a public document. It will be given to the applicant, their agent, responsible authorities, other persons making representations and any other party requesting a copy as well as the Licensing Sub-committee 10 working days prior to the hearing. Anonymous representations will not be accepted.
- 14.11 Petitions may be submitted but are not as informative as individual correspondence and as such may be given less weight when considered by a Licensing Sub Committee.
- 14.12 Petitions will only be accepted if on each sheet it clearly shows
- The name and address of the application site
 - Reasons for the representation and
 - Which of the four Licensing Objectives are relevant
- 14.13 Each petitioner must give their name, full address including post code.
- 14.14 Failure to comply with any of the above requirements could lead to the petition being rejected.
- 17.1 Conditions on premises licences and club certificates are determined by:
- The measures put forward on the Operating Schedule
 - Mandatory conditions within the Act
 - Measures decided at a hearing by the Licensing Sub Committee
- 17.2 Any conditions attached to licences following relevant representations will focus on matters within the control of the Premises Licence Holder or Club Management Committees. They will be used to

ensure the premises are safe and do not create a nuisance. They will address matters which have a direct impact on those living, working or engaged in normal activities in the vicinity.

They will not be used as a means of attempting to attach responsibility to Premises Licence Holders or Club Management Committees for matters outside their reasonable control, such as antisocial behaviour once away from the premises or licensable activity.

8.0 LEGAL CONSIDERATIONS

When considering licence applications the Sub-Committee shall carry out its functions with a view to taking steps it considers appropriate for promoting the licensing objectives. The licensing objectives are:

- Prevention of crime and disorder
- Public Safety
- Prevention of public nuisance
- Protection of children from harm

The Sub-Committee must ensure that all licensing decisions:

- Have a direct relationship to the promotion of one or more of the four licensing objectives
- Have regard to the Council's statement of licensing policy
- Have regard to the Secretary of State guidance
- Must not be subject to a blanket policy to the extent that it is applied so rigidly that an exercise of discretion in each individual case is precluded

The Sub-Committee is advised that when considering applications for a new premises licence, regard must be had to any relevant representations that are made before taking such steps (if any) as it considers necessary for the promotion of the licensing objectives. The steps are:

- grant the application.
- grant the application subject to conditions the Sub-Committee considers necessary to promote the licensing objectives
- exclude from the scope of the licence any licensable activity(ies) to which the application relates
- refuse to specify a designated premises supervisor
- reject the application

Officers have provided the Sub-Committee with recommendations related to this application. Subject to the above-mentioned factors having been properly considered, the Sub-Committee may depart from the recommendations if there are good reasons for doing so. The Sub-Committee is advised that such departures could give rise to an appeal or judicial review.

Licensing Officer Recommendations

The recommendation of the Licensing officer is to grant the application with conditions. In this application the Licensing Authority, the Police nor any other Responsible Authorities have chosen to make a representation.

The application contains an extensive description of the premises which is part of the operating schedule and it continues with a number of steps recorded in Part M, all of which would be added to the licence if granted in its present form. The committee may seek to add to or clarify these below conditions, which are consistent with the operating schedule:

1. The use of door staff will be risk assessed on an ongoing basis by the Premises Licence Holder and Designated Premises Supervisor.
2. Alcohol and other drinks may not be removed from the premises in open containers save for consumption in the apartments within the development and in any external area provided for such.
3. Staff will receive training on matters concerning underage sales, drugs policies and operating procedures.
4. There will be a zero policy in relation to drugs at the premises and there will be regular checks by management to prevent the use of drugs by patrons. Drugs seized shall be stored securely and handed to the Police.
5. The premises shall operate a proof of age scheme and require photographic identification from any person who appears to be under the age of 21.
6. The management of the premises will liaise with the Police on matters of concern or disorder.
7. CCTV will be installed with recording facilities. Such recordings shall be retained for a period of 31 days and made available, within a reasonable time upon request by the Police.
8. There shall be no drinks promotions at the premises which are inconsistent with the need to promote responsible drinking.
9. Where appropriate, prominent, clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.
10. Patrons will be encouraged by staff to leave quietly and respect the interests of any nearby noise sensitive premises. Where appropriate the licensee or suitable staff members will monitor patrons leaving at the closing time.
11. Noise or vibration shall not emanate from the premises so as to cause nuisance to nearby properties.

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**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

We Staycity Heathrow Ltd apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Staycity Heathrow, High Point Village, Station Approach	
Post town Hayes	Post code UB3 4FL

Telephone number of premises (if any)

0208 569 2028

Non-domestic rateable value of premises

£325000

Part 2 – Applicant Details

Please state whether you are applying for a premises licence as

a) An individual or individuals*

Please tick ✓

☐

please complete section (A)

b) a person other than an individual*

- i. as a limited company
- ii. as a partnership
- iii. as an unincorporated association or
- iv. other (for example a statutory corporation)

☒

please complete section (B)

☐

please complete section (B)

☐

please complete section (B)

☐

please complete section (B)

c) a recognised club

☐

please complete section (B)

d) a charity

☐

please complete section (B)

- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick ✓ yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒
- I am making the application pursuant to a
 - Statutory function or ☐
 - A function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title (For example, Rev) ☐

Surname

First names

I am 18 years old or over

Please tick ☐

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

Email address (optional)

Second Individual Applicant (if applicable)

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title (For example, Rev) ☐

Surname

First names

I am 18 years old or over

Please tick ☐

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

Email address (optional)

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In case of a partnership or other joint nature (other than a body corporate), please give the name and address of each party concerned.

Name Staycity Heathrow Ltd
Address Arc Apartments, Arcadian Centre, Hurst Street, Birmingham B5 4D
Registered number (where applicable) 07687878
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 – Operating Schedule

When do you want the premises licence to start?
As soon as possible

Day Month Year

--	--	--	--	--	--	--	--

If you wish the licence to be valid only for a limited period,
when do you want it to end?

Day Month Year

--	--	--	--	--	--	--	--

If 5,000 or more people are expected to attend the premises at any one time,
please state the number expected to attend.

N/A

Please give a general description of the premises (please read guidance note 1)

The applicant operates apart hotels in London and elsewhere.

The unit intended to be licensed at Heathrow offers some 269 serviced apartments consisting of studios, one bedroom and two bedroom apartments.

Each studio apartment will offer cooking facilities within each unit but the applicant now offers a coffee area which it is intended to extend to a limited food and beverage offering as identified on the plans deposited with this application, at ground floor and level 1 podium levels.

It is proposed that the permitted hours for licensable activities for these premises should be Monday – Sunday: 10.00 – 00.30 inclusive with the premises closing to the general public 30 minutes thereafter. However, the premises will remain open 24 hours a day to apartment residents.

This application seeks to licence the premises specifically to authorise under the Licensing Act 2003 the following activities:

1. The sale of alcohol.
2. The provision of late night refreshment after 23.00.

The appropriate drawings deposited with this application are:

- Google Earth Image identifying the approximate location of this site.
- Drawing no. 1410(29)01 Rev D – ground floor layout and fire strategy drawing to a scale of 1:100.
- Drawing no. 1410(39)03 Rev E – level 1 podium showing breakfast lounge area.

Please note that the internal area edged red on the licensing drawings are intended to be used (as required) for all licensable activities as is the external terrace area at level 1 podium hatched red.

Please further note that the appropriate fire safety precautions will be incorporated within the development in consultation with the Fire Safety Officer and under the Building Regulation approval process.

CCTV – CCTV is already installed within the premises and covers the areas intended to be licensed.

It is not anticipated that the proposed development will adversely affect crime and disorder or public nuisance.

Any non-residential use of the premises is anticipated to be ancillary to the principal use of the premises for apartment residents.

Please note that the apartments themselves are not intended to be included within the ambit of the Licence, save that alcohol purchased from the facility to be licensed may be consumed in those apartments by those residents.

The site is not within any cumulative impact policy area.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Please tick ✓ yes

Provision of regulated entertainment

- a) Plays (if ticking yes, fill in box A) ☐
- b) Films (if ticking yes, fill in box B) ☐
- c) indoor sporting events (if ticking yes, fill in box C) ☐
- d) boxing or wrestling entertainment (if ticking yes, fill in box D) ☐
- e) live music (if ticking yes, fill in box E) ☐
- f) recorded music (if ticking yes, fill in box F) ☐
- g) performances of dance (if ticking yes, fill in box G) ☐
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) ☐

Provision of late night refreshment (if ticking yes, fill in box I) ☒

Supply of alcohol (if ticking yes, fill in box J) ☒

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri					
Sat			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick {Y}(please read guidance note 2).	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri					
Sat			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			
Thur			
Fri			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Sat			
Sun			

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon				Both	
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thur					
Fri			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Sat					
Sun					
			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur					
Fri					
Sat			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for playing recorded music (please read guidance note 4)		
Thur					
Fri					
Sat			Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri					
Sat			Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
				Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri					
Sat					
Sun			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	✓
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3) As stated in Part 3 above		
Mon	23:00	00:30			
Tue	23:00	00:30			
Wed	23:00	00:30	State any seasonal variations for the provision of late night refreshment (please read guidance note 4) N/A – save as below		
Thur	23:00	00:30			
Fri	23:00	00:30			
Sat	23:00	00:30	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5) When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		
Sun	23:00	00:30			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 7)	On the premises	
				Off the premises	
				Both	✓
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	10:00	00:30			
Tue	10:00	00:30			
Wed	10:00	00:30	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) To permit the sale of alcohol hereunder from 10.00 New Years Eve: 10:00 to terminal hours proposed being 00.30 on 2 nd January The premises shall remain open to permit the sale of alcohol to Hotel residents 24 hours a day		
Thur	10:00	00:30			
Fri	10:00	00:30			
Sat	10:00	00:30			
Sun	10:00	00:30			

State the name and details of the individual whom you wish to specify on the licence as premises supervisor**Name:** Edion Bashllari**Address:** Staycity Heathrow, High Point Village, Station Approach, Hayes**Postcode:** UB3 4FN**Personal Licence number (if known):** LN201300636**Issuing licensing authority (if known):** St Albans

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4) Please see box J above
Day	Start	Finish	<p>Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</p> <p>The premises shall remain open 24 hours a day for hotel residents.</p>
Mon	06:00	01:00	
Tue	06:00	01:00	
Wed	06:00	01:00	
Thur	06:00	01:00	
Fri	06:00	01:00	
Sat	06:00	01:00	
Sun	06:00	01:00	

M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

We have undertaken our own risk assessment to propose the following steps:-

The steps which we have identified in relation to the four licensing objectives are listed below

b) The prevention of crime and disorder

No further risks have been identified which need to be addressed, save as below

1. The use of door staff will be risk assessed on an ongoing basis by the licence holder of premises supervisor. Where engaged, door staff shall be licensed by the Security Industry Authority.
2. Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in the apartments within the development and in any external area provided for such purpose.

3. Staff will receive training on matters concerning underage sales, drugs policies and operating procedures.
4. There shall be a zero tolerance policy in relation to drugs at the premises and there shall be regular checks by management to prevent the use of drugs by patrons. Drugs seized shall be stored securely and handed to the police.
5. The premises shall operate a proof of age scheme and will require photographic identification from any person who appears to be under the age of 21 years.
6. The management of the premises will liaise with police on issues of local concern or disorder.
7. CCTV will be installed with recording facilities such recordings shall be retained for a period of 31 days and made available within a reasonable time upon request by the police, such as to cover the main entrance to the premises.
8. There shall be no drinks promotions at the premises which are inconsistent with the need to promote responsible drinking.

c) Public safety

No further risks have been identified which need to be addressed, save as below

1. To comply with the reasonable requirements of the fire officer from time to time.
2. The premises will have adequate safety and fire fighting equipment and such equipment will be maintained in good operational order.
3. Staff will be trained on matters of safety, evacuation and use of emergency equipment as required.
4. Spillages and breakages will be removed as soon as possible to reduce the risk to patrons and staff.
5. Toughened glasses will be used in the premises where appropriate.
6. Fire Exits and means of escape shall be kept clear and in good operational condition.

d) The prevention of public nuisance

No further risks have been identified which need to be addressed, save as below

1. Where appropriate, prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.
2. Patrons will be encouraged by staff to leave quietly and respect the interests of the occupiers of any nearby noise sensitive premises, Where appropriate the licensee or a suitable staff member will monitor patrons leaving at the closing time.
3. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
4. Contact numbers for local taxi firm(s) shall be kept at the premises and made available to patrons requiring a taxi.

e) The protection of children from harm

- 1) The restrictions set out in the Licensing Act 2003 will apply. No unusual or additional risks of harm to children have been identified.
- 2) No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.
- 3) Children under the age of 16 shall not be permitted to enter the premises after 21:00 unless dining with an adult or attending a pre booked function or resident in the hotel.
- 4) There shall be adequate controls in place including staff training to safeguard against the sale of alcohol to persons under 18 years.

5) The premises supervisor or appointed staff member shall ensure that when children are admitted to the premises their presence is not inconsistent with the style of operation of the premises at that time and the licensable activities that are being carried out.

6) Policies in relation to children shall be adequately communicated to patrons by staff or through appropriate signage.

Please tick ✓ Yes

- I have made or enclosed payment of the fee ☒
- I have enclosed the plan of the premises ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable ☒
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable ☒
- I understand that I must now advertise my application ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent. (Please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature: John Gaunt & Partners.....

Date: 14 June 2016.....

Capacity: Solicitors.....

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (Please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature: John Gaunt & Partners.....

Date:

Capacity: Solicitors.....

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

John Gaunt & Partners
Omega Court
372 Cemetery Road

jgaunt@john-gaunt.co.uk

Post town
Sheffield

Post code
S11 8FT

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day, e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

KEY TO SYMBOLS

NOTES:
 FIRE DETECTION/ALARM SYSTEM: TO BE LI COVERAGE THE FIRE ALARM SYSTEM TO BE IN ACCORDANCE WITH BS 5839-1:2002. THE SYSTEM SHALL BE DESIGNED TO COVER THE ENTIRE BUILDING. CODE OF PRACTICE FOR SYSTEM DESIGN, INSTALLATION, COMMISSIONING, MAINTENANCE, TESTING AND POSITION OF SMOKE DETECTOR AND OTHER ALARM FITTING SHALL BE IN ACCORDANCE WITH BS 5839-1:2002. SUPPORTING DRAWINGS FOR THE DETECTION/ALARM SYSTEM SHALL BE SUBMITTED TO THE CLIENT FOR REVIEW.

EMERGENCY LIGHTING:
 EMERGENCY LIGHTING IS TO BE INSTALLED IN ACCORDANCE WITH BS 5266-1:2009.

EMERGENCY EXIT SIGNS:
 EMERGENCY EXIT SIGNS TO COMPLY WITH HEALTH & SAFETY (SAFETY SIGNS AND SYMBOLS) REGULATIONS 1996.

EXIT SIGNS:
 EXIT SIGNS ARE TO BE INSTALLED IN ACCORDANCE WITH BS 5499 PT 1.

CAVITY BARRIERS:
 TO BE INSTALLED TO SURPASSOR BARRIERS IN ACCORDANCE WITH SECTION 8 CONCEALED SPACES (CAVITIES) REGULATIONS.

FIRE STOPPING:
 ALL PENETRATIONS THROUGH FIRE RESISTANT WALLS AND FLOORS SHALL BE PROTECTED TO MAINTAIN CONTINUITY OF FIRE RATING. ANY PENETRATIONS SHALL BE PROTECTED TO MAINTAIN CONTINUITY OF FIRE RATING. ALL FIRE STOPPING TO BE IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.

DOORS:
 ALL DOORS SHALL BE SELF-CLOSING. ALL DOORS TO HAVE A SCHEDULE FOR INTERIOR DOOR FIRE RATINGS. STATUTORY FIRE RESISTANCE RATING SHALL BE IN ACCORDANCE WITH BS 5839-1:2002.

REVISIONS:
 ALL REVISIONS SHALL BE IN ACCORDANCE WITH THE REVISED DRAWING.

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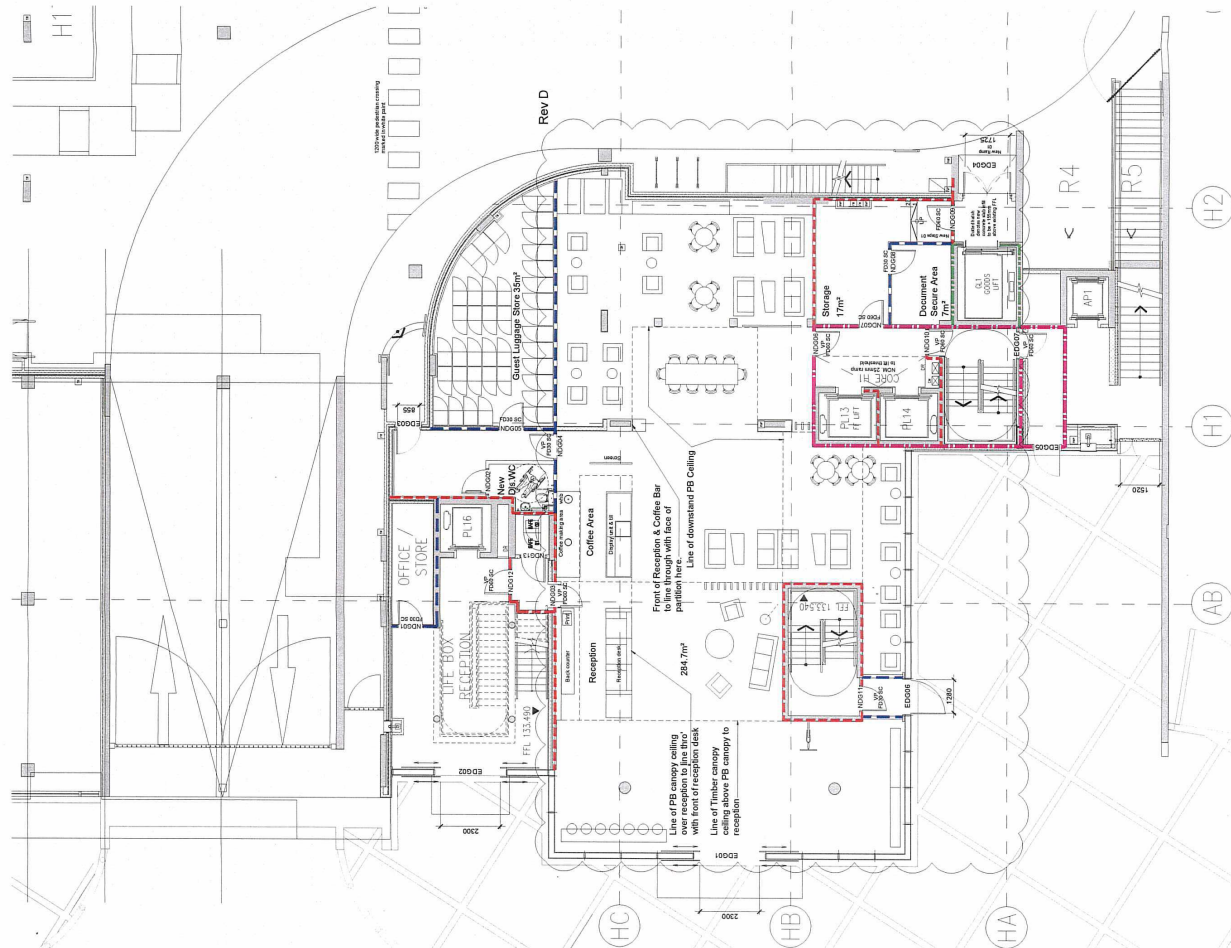
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 ALL REVISIONS SHALL BE IN ACCORDANCE WITH THE REVISED DRAWING.



Ground Floor - Fire Strategy Plan
 Scale, 1:100@A1

mca
 marchini curran associates
 54a High Pavement
 Nottingham
 NG1 1HW

T +44 (0)115 947 4020
 E pos@mc-a.co.uk
 W www.mc-a.co.uk

Figured dimensions to be followed in preference to those stated from drawings.
 All dimensions to be verified on site by the contractor and such dimensions to be their responsibility.
 Drawing positions and areas to be reported immediately to the architect.

D	28.08.15	D1. Plan related to Stay City	AP
		Interior design.	
		D2. Smoke vent installed from	AP
		Door to Stay City.	
C	06.07.15	Revised location of new door	AP
		NO205	
B	10.06.15	Setting out of new DO, NO2 &	AP
		Luggage store revised. Wall	
		lining adjacent lift core H1	
		revised.	
A	22.05.15	Location & size of fire fighting	NW
		smoke vent revised. Partitions	
		to service rooms revised to be	
		construction F500, F500	
		Doors	

rev. date: description: drawn:

Client: B&K Building Services Ltd

project name:

Stay City
 Hayes, Middlesex

drawing name:

Ground Floor
 Fire Strategy

scale (ratio):
 1:100@A1 NW AP APR 2015
 1:200@A3

drawing no:
 14100 (29) 01 D

drawing status:

RECORD

Marchini Curran Associates Limited
 Company Registration No. 4311466
 All rights reserved by Marchini Curran Associates Limited

Figured dimensions to be followed in preference to those scaled from drawing.

All dimensions to be verified on site by the contractors and such dimensions to be their responsibility.

Drawing omissions and errors to be reported immediately to the architect.

E	15/02/15	Wheelchair refuge symbol added	AP
D	15/02/15	Swing of door ED903 revised.	AP
C	03/08/15	1HR fire partition to bathroom updated to GA revisions	NW
B	06/07/15	Plan revised to suit new layout	AP
A	22/05/15	Location & size of fire fighting cabinet revised. Plans to service lifters revised to be 90 minutes fire rating construction. FD90, FD30 Doors	NW

rev:	date:	description:	drawn:

Client: B&K Building Services Ltd

project name:

Hayes, Middlesex

drawing name:

Level 1 Podium Fire Strategy

scale (size):
1:100@A1
1:200@A3

drawn / approved: NW AP date: APR 2015

project no: 14100 drawing no: (29) 03 revision: E

drawing status:

RECORD

Marchini Curran Associates Limited
Company Registration No. 4341466
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- ## KEY TO SYMBOLS

NOTES:

EMERGENCY LIGHTING :
EMERGENCY LIGHTING IS TO BE INSTALLED IN ACCORDANCE
WITH BS 5266:1 2005.

SIGNAGE FOR ESCAPE :
EMERGENCY EXIT SIGNS TO COMPLY WITH HEALTH & SAFETY

EXIT SIGNS :
EXIT SIGNS ARE TO BE INSTALLED IN ACCORDANCE WITH
SAFETY SIGNS AND SIGNALS) REGULATIONS 1996.

US 5499 PT 1.

IN ACCORDANCE WITH SECTION B3 CONCEALED SPACES (CAVITIES)
OF THE CURRENT APPROVED DOCUMENT B OF THE BUILDING
REGULATIONS.

PRESTOPPING :
ALL HEAD, SILL AND JAMB CONDITIONS WHERE COMPARTMENT WALLS MEET OTHER WALLS, FRAMES ETC TO BE SEALED TO

MAINTAIN CONTINUITY OF FIRE RATING. ANY PENETRATIONS THROUGH FLOORS TO BE FIRE STOPPED TO MAINTAIN CONTINUITY OF FIRE RATING. ALL FIRE STOPPING TO BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S

RECOMMENDATIONS.

IN THE EVENT OF A FIRE ALARM, REFER TO THE PROPOSED DOOR SCHEDULE FOR INTERIOR DOOR FIRE RATINGS, STATUTORY FIRE DOORS FITTED WITH ELECTRONIC MAG-LOCKS TO FAIL-SAFE OPENING, VISION PANELS, IRONMONGERY ETC.

1	2	3	4	5	6	7	8	9	10	11	12
ELECTRONIC SOUNDER WITH INTEGRATED FLASHING INDICATOR LIGHT	PANIC BOLT / PUSH BAR	DISABLED REFUGEE ALARM	REFUGEE ALARM PANEL	BREAK GLASS UNIT	WALL MOUNTED FIRE CRYSTAL SOUNDER BASE AND PUSHING DESIGN	WALL MOUNTED DORT HOLD	FIRE ALARM INTERFACE FOR NOTORIZED VENTILATION ACTIVATIONS	DISABLED REFUGEE ALARM			DRY RISER

[illegible]

PROTECTIVE ZONES

⑤ BREAK GLASS UNIT

⑥ SMOKE DETECTOR

SMOKE DETECTOR WITH INTEGRATED SOUNDER
HEAT DETECTOR WITH INTEGRATED SOUNDER

SOUNDER
AUDIO & VISUAL SOUNDER

 SOUNDER
FIRE EXIT SIGN MAINTAINED INTERNALLY ILLUMINATED

DIRECTIONAL FIRE EXIT SIGN MAINTAINED INTERNALLY ILLUMINATED

<input type="checkbox"/>	BACKUP COMBINED DOWNLIGHT FITTING
<input type="checkbox"/>	FIRE BRIGADE OVERRIDE SWITCH
<input type="checkbox"/>	EDGE AL ADORN DANCES



licensing . <licensing@hillington.gov.uk>

Re: Protest of Staycity selling alcohol

Kamil Shah <[REDACTED]>
To: "licensing ." <licensing@hillington.gov.uk>

20 June 2016 at 15:43

My address is 805 Signal Building, Station Approach, Hayes, UB34FG

On 20 Jun 2016 15:30, "licensing ." <licensing@hillington.gov.uk> wrote:

Dear Sir,

Thank you for your comments in relation to the new application for Stay City Hotel. In order for your comments to be considered, we will require your address details.

As we are in the very early stages of the consultation it is difficult to say what feedback we may receive in relation to this application and whether or not it will be considered by a Sub-Committee.

Once you update your address details, we will update you further nearer to the end of the consultation.

Regards
Stephanie

On 17 June 2016 at 11:53, Kamil Shah [REDACTED] wrote:

Dear Sir,

I am a resident of High Point Village, I am concerned about the plan for Stay city to be licensed. This may increase the anti social behaviour in our estate and cause danger to the residents here.

I am writing a formal protest to the application for licensing of stay city.

Thanks,

Kamil

--
Regulatory Services
London Borough of Hillington
Civic Centre
High Street
Uxbridge UB8 1UW
(T) 01895 277433
(F) 01895 250011
licensing@hillington.gov.uk

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licensing . <licensing@hillington.gov.uk>

Re: Staycity application for alcohol sale in Hayes.

Simonetta Idili <[REDACTED]>
To: "licensing ." <licensing@hillington.gov.uk>

20 June 2016 at 16:28

Dear Stephanie,
thank you for the email.
My address is
706 signal building
Station approach
Hayes
Middlesex
Ub34fg
Kind regards
Simonetta Idili

Sent from my iPhone

On 20 Jun 2016, at 15:27, licensing . <licensing@hillington.gov.uk> wrote:

Dear Sir,

Thank you for your comments in relation to the new application for Stay City Hotel. In order for your comments to be considered, we will require your address details.

As we are in the very early stages of the consultation it is difficult to say what feedback we may receive in relation to this application and whether or not it will be considered by a Sub-Committee.

Once you update your address details, we will update you further nearer to the end of the consultation.

Regards
Stephanie

On 17 June 2016 at 11:46, Simonettaldili <[REDACTED]> wrote:

Dear sir/ madam,
I would like to comment on the licensing application made by Staycity in Hayes town centre to enable them to sell alcohol into the late night hours.
I live right next to Staycity and their presence and guests have been a nuisance to the local residents.
I have witnessed myself many episodes of antisocial behaviour including drinking, littering and smoking in areas that are strictly non smoking.
I have complained to one of the managers of Staycity in regards to those issues and their response has been that i should take my complaints somewhere else.
My understating is that Staycity only care about their guests and their business and are not responsible neighbour.
The sale of alcohol on their premises is bound to exacerbate the antisocial behaviour of their guests for which they do not seem to be willing to take responsibility.
Kind regards,
Simonetta Idili

Sent from my iPad

--
Regulatory Services
London Borough of Hillington
Civic Centre
High Street
Uxbridge UB8 1UW
(T) 01895 277433
(F) 01895 250011

licensing@hillingdon.gov.uk

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licensing . <licensing@hillington.gov.uk>

Alcohol licence application objection for Stay City Hayes

Jaz Panesar [REDACTED]
To: licensing@hillington.gov.uk

16 June 2016 at 19:29

Dear sir/madam,

I am writing to object for the recently made application by Stay City hotel at Hayes to enable the supply of alcohol from 10.00 hours to 0.30hrs daily and to the residents of the Apart hotel 24hours a day.

I also oppose to points 2 and 3. Image is attached.

I oppose this to prevent antisocial behaviour as there are apartments with approximately 500 residents living there.

With the opening of this hotel not so long a go, it has already caused unrest
As people who are staying there park in residents bays, smoke and eat outside which already leaves a mess. This has also increased gathering of groups which cause problems to residents. Because of this our space is not respected with a lot of mess being made and people hanging out next to our entrance. This in turn makes us nervous and feel unsafe. As this is also next to the station this does not help.

Also when the hotels entrance was on our side of high point village, people were drinking at our entrance and smoking. It is a non smoking development and a small fire was caused due to the behaviour.

If this Licence is given, I feel it will only increase problems and antisocial behaviour and further make the residents and the general public feel unsafe.

If the people staying there want a drink there are already a few pubs around the corner in Hayes which they can go to.

Regards
Mr Jasvir Panesar
Flat 3 Signal Building
High point
Hayes
Ub3 4fg

Sent from my BlackBerry 10 smartphone.



IMG-20160616-WA000.jpg
179K

Licence Application, Petition Template

(Please read notes before completing)

Your details as Lead Petitioner (See notes 2 & 3)

Your Name	Tony James
Your residential address	Flat 701 Signal Building, Station Approach, Hayes, UB3 4FG
Your email address	[REDACTED]
Your phone number	[REDACTED]
The name of the body or organisation you represent	Signal Building Residents' Association High Point Village

About the premises

Name of the premises to which the petition relates	Staycity Heathrow, High Point Village
Address of the premises to which the petition relates	Station Approach, Hayes, UB3 4FN

Reason for petition and the outcome you are seeking from the Licensing Authority

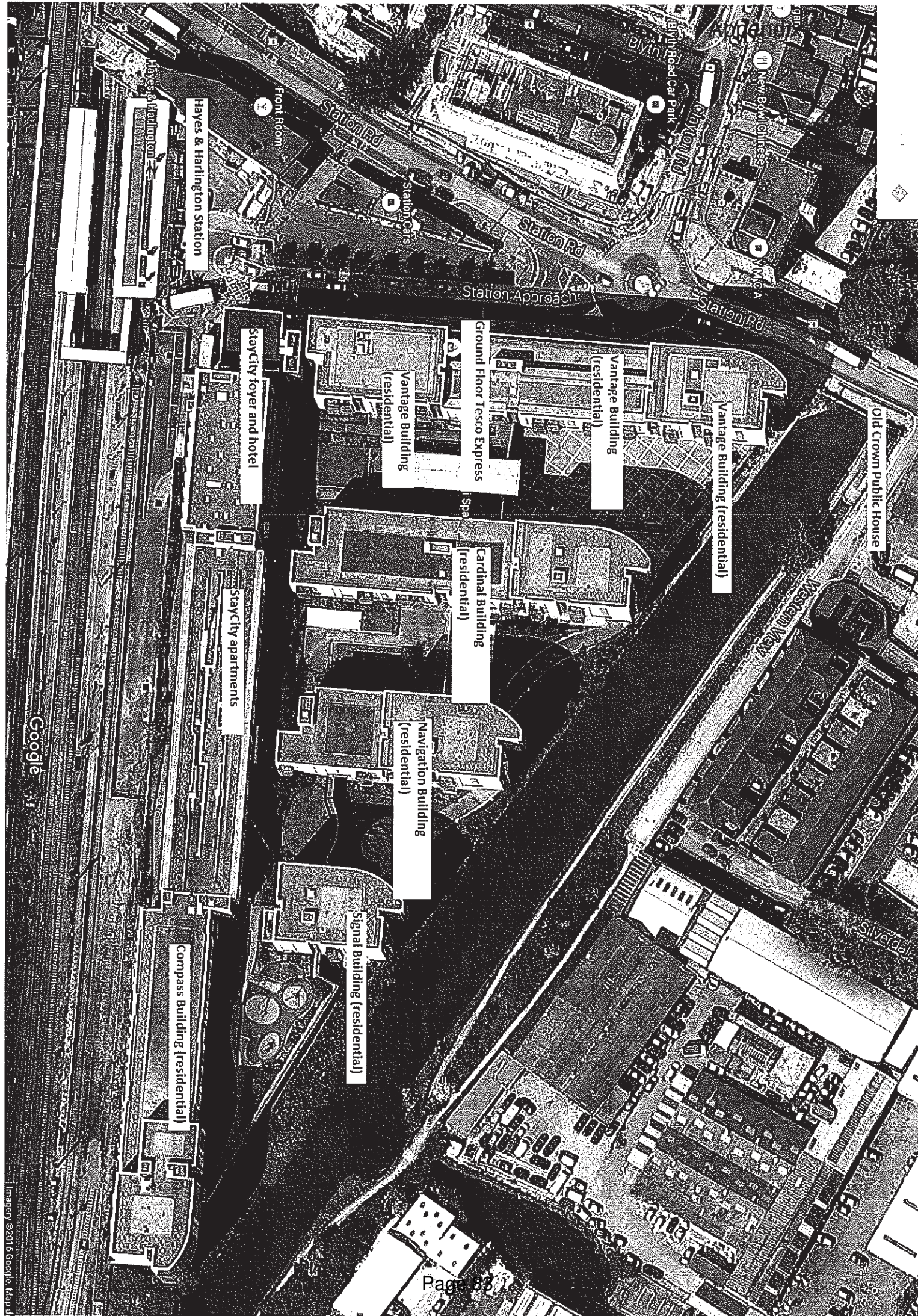
<p>1.1.</p> <p>1.2.</p> <p>1.3.</p> <p>2.1.</p> <p>2.2.</p> <p>3.1.</p>	<p>This petition is made in my capacity as Chairperson of the only formally recognised and mandated residents' association at High Point Village, Hayes. Our members (comprising 92% of Signal Building) and direct neighbours (from Compass Building) have been canvassed. As the petition reflects, there are overwhelming concerns with regard to the proposed sale of alcohol between the hours of 1000 to 0030 to members of public, and 24 hours to StayCity guests.</p> <p>This petition is made on four grounds: public safety, prevention of crime and disorder, prevention of public nuisance, and prevention of harm to children.</p> <p>It calls for a rejection of 24-hour sales to guests and for the restriction of sales to public in accordance with alcohol sale laws; and seeks guarantees from the applicant in relation to security, containment of activity and public safety.</p> <p>With regard to public safety, we note that crime, disorder, harassment and public nuisance in the local area are already at problem levels. There were 132 reported incidents of anti-social behaviour, 107 reported acts of violence / sexual offences and 40 incidents of criminal damage all within a one mile radius of StayCity's location in the month of May 2016 (source: UK Crime Statistics - http://www.crime-statistics.co.uk/). Granting a licence would provide a further source of alcohol within an area already heavily populated with licensed premises, and presents added contingency to an area already suffering noise nuisance and antisocial behaviour, particularly at night.</p> <p>The application makes no mention of how it communicates and relates to the residents of High Point Village and to the wider Hayes community. The application makes no mention of responsibility and liability for actions of inebriated customers either within High Point Village or the surrounding environs.</p> <p>With regard to prevention of crime and disorder, our members and neighbours</p>
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have voiced concerns that the sale of alcohol beyond trading hours to the public and all day to guests so close to our homes will increase the likelihood of anti-social behaviour, damage to property, disorderly conduct and harassment of residents. (see also 2.1. for local crime and disorder statistics)

- 3.2. We note that the application completely neglects to point out that StayCity's premises are nestled physically within the development of High Point Village. High Point Village is comprised of five physical buildings, and is predominantly a residential estate. The StayCity building is connected to Compass Building and adjacent to Signal Building (see annotated map). The spatial embedding of StayCity within the complex means that there are communal spaces, such as car park entrance/exits and walkways that are shared with the residents. Further, the gates and doors demarcating various areas within the estate are porous, fail frequently and see a high volume of footfall, creating urgent issues with security and few guarantees of containment of activity.
- 3.3. The application makes no robust or evaluable provisions to guarantee confinement of activity and control of patrons. The application also indicates no guarantees of permanent door staff and/or security personnel for such purpose.
- 4.1. With regard to the prevention of public nuisance, Signal and Compass Buildings have had extensive prior experiences with StayCity and its guests, given that the business shared a common entrance/exit with the two building until March 2016) Residents have therefore had first-hand experiences with StayCity guests causing damage to property, littering and urinating in the communal areas. A persistent problem was with guests and StayCity staff members who would smoke along communal entrances, despite prominent signs outside StayCity's then side entrance reminding guests not to smoke, thus also highlighting the ineffectiveness of the application's plan to reduce alcohol-related nuisance using reminder signs.
- 4.2. The application does not prohibit the removal of alcoholic drinks from the premises within closed containers. It also does not clearly define or demarcate the location of "any external area provided for such purpose". The latter omission is of particular importance given the embedded location of StayCity's premises within High Point Village, as highlighted in 3.2.
- 4.3. With regard to prevention of harm to children, both Compass and Signal buildings are social / affordable housing units with young families living in both buildings. There is a private playground on site that may be accessible from two entry points (pictured).
- 4.4. As in 3.3 above, the application makes no robust or evaluable provisions to guarantee confinement of activity and control of patrons. The application also indicates no guarantees of permanent door staff and/or security personnel for such purpose.
5. We respectfully request that the application, in its current form, is rejected by the Licensing Authority. The application negates to state that StayCity is a spatially integrated part of the High Point Village development, fails to provide concrete provisions to ensure the safety of residents in the immediate vicinity of intended alcohol sales, does not offer clear definition of conditions of sales, and does not indicate acceptance of liabilities and externalities associated with the application.

Notes:

- 1) All petitions must be submitted before the conclusion of the 28 day consultation period. This will be advertised on the public notices and also on the Councils website





1. StayCity apart-hotels
 2. Navigation Building
- * Photo taken from Signal Building



1. Entrance to StayCity apart-hotels
2. Entrance to Compass and Signal Buildings

TO OPPOSE THE ALCOHOL LICENCE FOR STA/CITY

Printed Name	Full Address (incl. Postcode)	Signature
MAKSYM CUK	604 SIGNAL BUILDING UB3 4FG	
SAMUEL ROMANCZUK	601 Signal Building UB3 4FG	
K. Bwusu-Agyemang	605 Signal Building UB3 4FG	
D. Anice Cuccie	503 SIGNAL BUILDING UB3 4FG	
MARDALENA Cuccie	503 SIGNAL BUILDING UB3 4FG	
MARCIN DABROWSKI	504 SIGNAL BUILDING UB3 4FG	
MARDALENA DABROWSKA	504 SIGNAL BUILDING UB3 4FG	
Kunal Khaboo	203, Signal Building UB3 4FG	
MRS Sayed	406, Signal building UB3 4FG	
ADAM SYLLA	405, Signal building UB3 4FG	
MALGORZATA SZCZYGIELSKA	404 Signal Building UB3 4FG	
ELIAN DALOU	501 Signal building UB3 4FG	
ELIAN DALOU	501 Signal building UB3 4FG	
ROSS COOPER	702 Signal Building UB3 4FG	
GAM BUNOT	703 " "	
ZENOBIA CONTRAS	603 Signal Building UB3 4FG	
SUMI MATHEW	304 signal Building UB3 4FG	
TEBO TEDIOSE	304 signal Building " "	
MN Gharfalkar	104 Signal Building " "	
Teja Gharfalkar	10 " "	
KARAN	106 SIGNAL BUILDING UB3 4FG	
S. IDILI	706 SIGNAL BUILDING UB3 4FG	

TO OPPOSE THE ALCOHOL LICENSE FOR STAY/CITY

Printed Name	Full Address (incl. Postcode)	Signature
Ashis Tajhya	Flat 1 Signal Building Station Approach, Hayes UB3 4FG	
Rajnish Saran	Flat 2, Signal Building Station Approach Hayes UB3 4FG	
Jasvir Pausa	Flat 3 Signal Building Hayes UB3 4FG	
Rafat M. N. N. N.	Flat 4 Signal Building Station approach, Hayes UB3 4FG	
ANKIT VERMA	FLAT 105, SIGNAL BUILDING, HAYES UB3 4FG	
Nicola Moore	103 Signal Building UB3 4FG	
RAHJEE Singh	201 Signal Building UB3 4FG	
SUKHIL DREER	206 " " " " UB3 4FG	
MOWICA ANNESE	202 SIGNAL BUILDING UB3 4FG	
ANDREA MANCINI	301 SIGNAL BUILDING UB3 4FG	
He Un Lee	FLAT 201 SIGNAL BUILDING UB3 4FG	
Chirag Desai	FLAT 303 Signal Building UB3 4FG	
Kamil Shah	Flat 805 Signal Building UB3 4FG	
SALEEM DIN	FLAT 803 SIGNAL BUILDING UB3 4FG	
PRITTI DIN	FLAT 803 SIGNAL BUILDING UB3 4FG	
Robert	FLAT 804 SIGNAL BUILDING UB3 4FG	
PREETHI	FLAT 804 SIGNAL BUILDING UB3 4FG	
Tania Kapoor	Flat 203 Signal Bldg UB3 4FG	
BARBARA SOWA	Flat 102 Signal Building UB3 4FG	
Zafar kashif	Flat 506 Signal building UB3 4FG	
JASPAL GHORAY	Flat 101, Signal Building, UB3 4FG	
Yasmin Lodigra	Flat 204 Signal Building UB3 4FG	
Audrey Verma-Jane	Flat 701 Signal Bldg UB3 4FG	

THE BELOW ARE FREQUENT VISITORS TO HIGH POINT VILLAGE.
 + RESIDENTS
 State the reason for the petition and the desired outcome: AND USERS OF HAYES & HALLINGTON STATION

STAY CITY - BAR - FOR NON RESIDENTS.

PETITION AGAINST PROPOSAL FOR LICENSE TO SELL ALCOHOL

Printed Name	Full Address (incl. Postcode)	Signature
JIM BRADLEY	361 HIGH ST HALLINGTON ^{UB3 5DG}	
J. FIDDY	227 THE PARKWAY IVER HENTY ^{SL0 0RD}	
W. GOODMAN	17 DENMAN DRIVE ASHFORD ^{TW15 2AN}	
M. BUTLER	58 ETON ROAD HAYES UB3 5HS	
S. MAHI.	903 COMPASS BUILDING, HAYES ^{UB3 4FE}	
Pat FORSE	6 Colbrook Ave, Hayes UB3 1TG	
J M' Cloky	43 Colbrook " " "	
S. MURPHY	" " " "	
D CRAPP	5 SWAN AVENUE HAYES UB3 2ES	
K CLARK	60 ADDISON WAY HAYES UB3 2DP	
J WARE	17 WIELD RD. HAYES UB3 1X	
MET	4 Clayton Road UB3 1AX	
Lennon	216 COMPASS UB3 4FE	
Peucha.	113 Compass. "	
Adams	213 Compass Bldg. "	
MR. ISSA	207 COMPASS BLDG "	
MR. MUKARRAM	102 Compass Bldg. "	
MISJ HASSAN	210 Compass Building "	
FATIMA	206 COMPASS BUILDING "	
Donald Yuen	406 COMPASS BUILDING "	
TAN YOUNG	401 COMPASS Bldg. "	
MORAMMED.	413 COMPASS "	
Amirah Ha	405 Signal Building "	

Index to photographs in order

- 1 Hotel from street
- 2 Hotel entrance
- 3&4 Inside front lobby
- 5 to 8 First floor dining area/bar
- 9 to 11 Dining room terrace
- 12 & 13 Dining area looking towards courtyard
- 14 & 15 Internal shots of communal area
- 16 Residents entrance.

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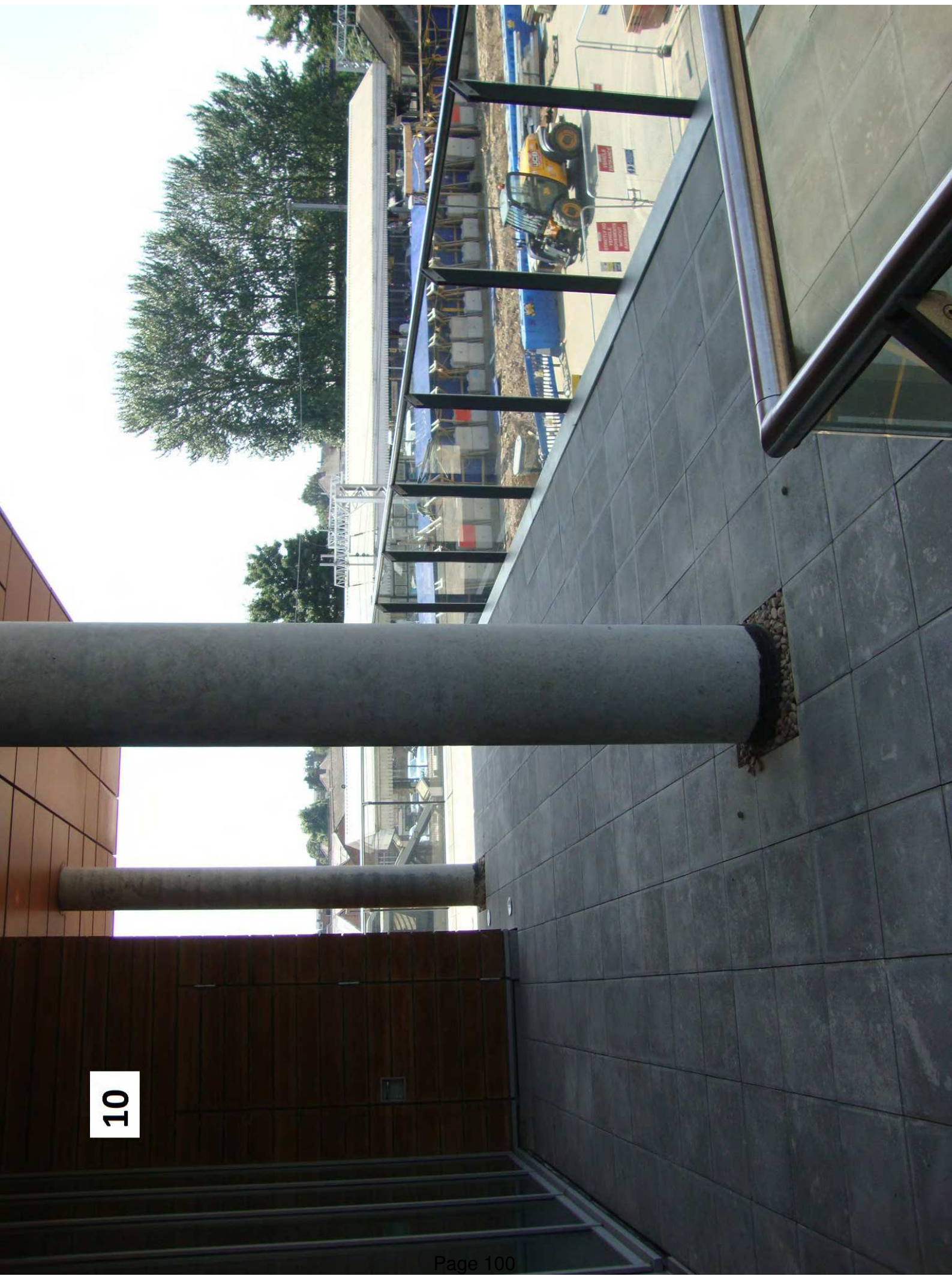


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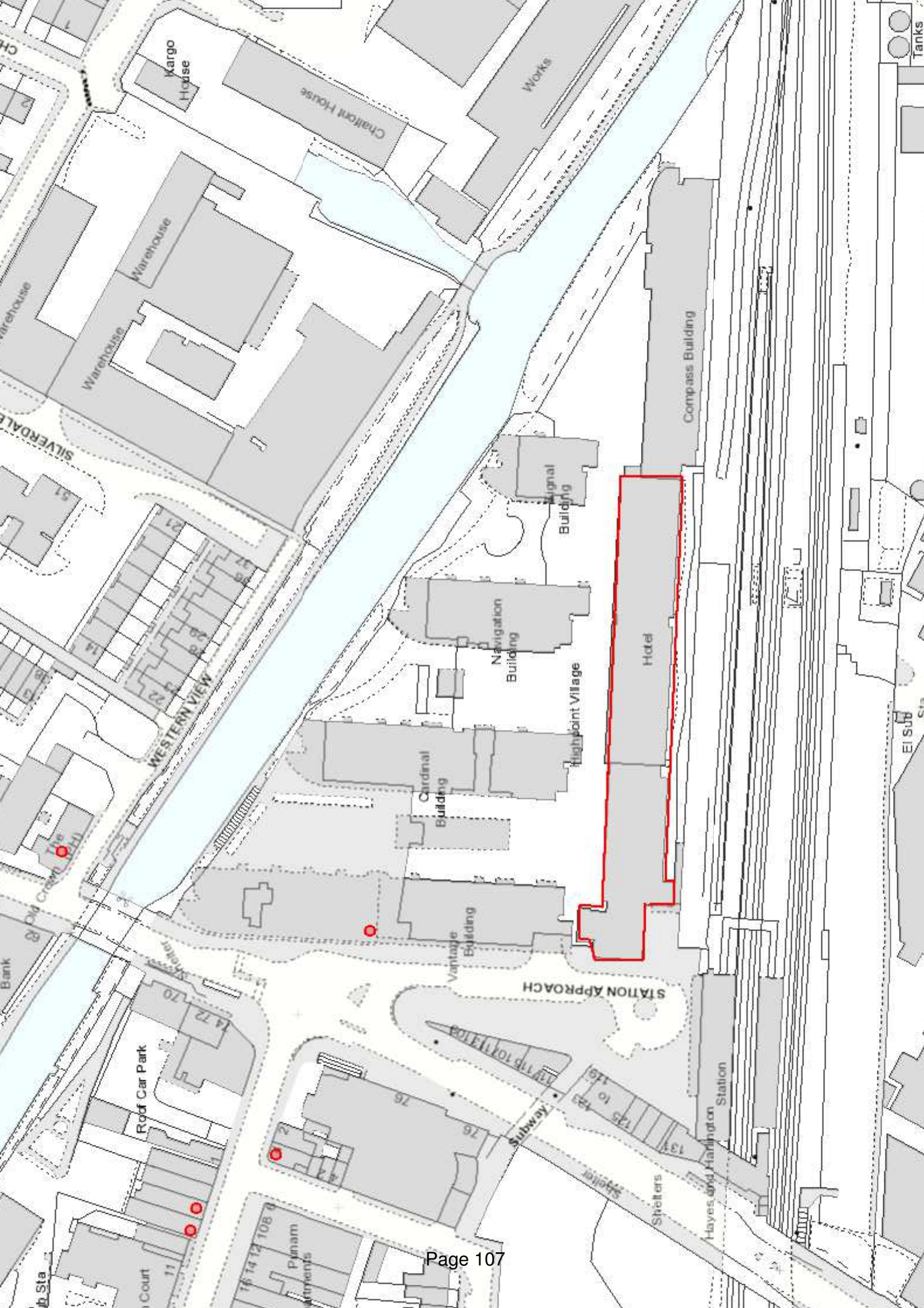












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